

## HOUSE OF REPRESENTATIVES—Tuesday, July 28, 1992

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LEWIS of Georgia).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 28, 1992.

I hereby designate the Honorable JOHN LEWIS to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,  
Speaker of the House of Representatives.

### PRAYER

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

May the words of peace, justice, respect, and honor that we so easily say with our lips, be validated in our actions and our deeds. Our prayers to You, O God, are uttered with intensity and great fervor and we eagerly place before You our needs and our hopes. O gracious God, giver of all life and all promise, breathe into us the power of Your spirit, so we will validate our words of prayer into good works and our deeds will become acts of faith and active in love. Amen.

### THE JOURNAL

The SPEAKER pro tempore. 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 pro tempore. The gentleman from Illinois [Mr. DURBIN] will lead the House in the Pledge of Allegiance to the flag.

Mr. DURBIN 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.

### TRUSTING THE PRESIDENT

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

Mr. DURBIN. Mr. Speaker, President Bush has announced that his campaign

theme is trust. The President is entitled to respect, but the President must earn our trust.

The record of the Reagan-Bush years shows us that President Bush in fact can be trusted. He can be trusted to cut taxes on the wealthiest Americans; he can be trusted to veto unemployment benefits at the height of the recession; he can be trusted to enter into trade agreements which export the best American jobs.

Several weeks ago, I had an opportunity to attend the convention in Madison Square Garden, and last week in my own district in downstate Illinois I traveled on a bus trip with two men who are running against the Bush-Quayle team: Bill Clinton and AL GORE. In the darkness of the night on Highway 51 between Centralia and Vandalia, average families stood out on their lawns with little American flags in hand, and hand-lettered signs saying that they wanted a change, they want new leadership. They want a new generation of leadership to come in with fresh, new ideas to get America moving again.

It is not just a question of trust, it is a question of hope.

### PRESIDENT BUSH'S EDUCATION REFORM

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

Mr. BALLENGER. Mr. Speaker, many months ago, our President requested a new educational program to upgrade and reform our failing system, and to create new ideas in education. It was called America 2000.

We, on the Education and Labor Committee, worked on a bipartisan bill that would accomplish change by the year 2000. I personally persuaded two school systems in my district to participate in a contest for creative ideas that was part of America 2000.

The Democrat leadership killed the bipartisan bill and created its own grant program which maintains the current failing system with little or no change.

Luckily, because part of America 2000 relied on private funding, the President's program is not totally dead. The contest for creative ideas is ongoing, and awards were made to 11 programs last week. I am proud to say that the only public school system to be selected as a grantee is from my district: The Gaston County School System.

Thank goodness the private sector recognizes the need for changing our educational system, because the NEA, the Democrat leadership, and the Clinton campaign do not.

It is only with reform of our educational system that we will see improvement. Only George Bush stands for reform.

### PRESIDENTIAL TRUST

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

Mr. SMITH of Florida. Mr. Speaker, the President is asking us to trust him. His latest campaign ploy is to attempt to rewrite current history by asking the American people to forget the last 4 years. Sure, we can trust George Bush. We can trust him to erode a woman's right to choose. We can trust him to thwart attempts to create American jobs. We can trust him to appoint unqualified Supreme Court justices. We can trust him to slash education funding. We can trust him to pander to polluters. We can trust him to block campaign finance reform. We can trust him to veto extending unemployment benefits.

And, when all else fails, and his polls are falling, we can trust him to trot out Saddam Hussein and other failed foreign policies.

The President had his chance last year and thousands of lives later, Saddam Hussein is still thumbing his nose at the United States.

Mr. Speaker, the American people know better. They want a President who will keep his word, who will put people first and begin to enact the real change this country needs. That's not George Bush.

### MALaise MOMENT IN HISTORY

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

Mr. ARMEY. Mr. Speaker, at the convention, the Democrats spoke at length about a nightmare of Republican leadership and neglect, but business people remember that the last time the Democrats controlled both branches of Government was really a nightmare on Main Street.

The March 30, 1979, National Review reports:

It seems that President Carter was trying to assure an audience of apprehensive busi-

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

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

nessmen about the state of the economy, and told them, "If I weren't President, I'd be investing right now." To which a canny businessman replied, "If you weren't President, I'd be investing right now."

Let's not forget that Republicans gave us 85 months of economic expansion and Democrats gave us economic malaise, and the Democrats have repeatedly killed President Bush's pro-growth economic proposals in favor of policies that allow them to control the division of a smaller economic pie.

This malaise moment in history was brought to you by the National Democrat Party only 13 years ago, the last time they controlled Congress and the White House.

Mr. Speaker, the Democrats are the people that have proved to us that we can never believe it when they come to us and say they are from the Government, so we should trust them.

#### THERE SHOULD BE NO RUSH TO JUDGMENT ON THE NORTH AMERICAN FREE-TRADE AGREEMENT

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

Mr. MAZZOLI. Mr. Speaker, a year ago, I voted to give the President the so-called fast-track authority to negotiate with Mexico and Canada on a North American Free-Trade Agreement [NAFTA]. But, I voted for that, as did many of my colleagues in the House, with the proviso that the final agreement, not yet concluded, would have in it several safeguards, safeguards for the environment to make sure that additional industrialization does not hurt this planet, a retraining program so that U.S. workers who may be displaced by this agreement are given an opportunity to train for good jobs, a transition period to minimize any negative impact on U.S. workers, industry, and agriculture. Rules of origin which would make sure that those countries benefiting from the North American Free-Trade Agreement are those countries in North America: Canada, the United States, and Mexico.

Mr. Speaker, yesterday, the majority leader of the House, Mr. GEPHARDT, made an important speech in which he said that this NAFTA draft agreement does not contain these provisos and protections. I join the majority leader in expressing concern about this, and also suggest that I will not be able to support the final agreement unless it contains these protections.

Mr. Speaker, there is no need to rush to judgment on the NAFTA agreement. Let us take our time, and let us do it right.

□ 1010

#### FEDERAL GOVERNMENT PAYING EXCESSIVE LEGAL FEES TO PRIVATE LAW FIRMS

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

Mr. DUNCAN. Mr. Speaker, little attention is paid to it, but one of the biggest scandals in the Federal Government today is in rip-off legal fees paid to private, large, well-connected law firms.

A few months ago, I spoke out about the ridiculous \$600-an-hour rates paid by the FDIC to the New York law firm of Cravath, Swaine, & Moore.

Yesterday's Washington Post reported something even worse.

The Washington firm of Beveridge & Diamond charged the taxpayers \$3.8 million dollars to recover a total of \$40,000.

These fees were paid by the FDIC in the McLean Savings & Loan case.

Two defendants paid \$40,000, and all other charges and defendants were dismissed.

Listen to how good a job this high-priced, over-priced law firm did.

According to the Post story:

They failed to file the lawsuit before the Virginia statute of limitation expired.

Also according to the Post:

The FDIC cannot collect about \$1 million in settlements . . . because the government (represented by this law firm) filed papers in the wrong courthouse.

Some of these law firms are only interested in running up large fees.

They are doing a pitiful, terrible job for the taxpayers.

The FDIC should be using their own in-house lawyers, or paying private firms based on how much they recover.

However, most of these firms have former high-ranking Government officials as members, and they can get away with things like this, when a government becomes so big that it is really out of control.

Mr. Speaker, I am including the Washington Post article in the RECORD, as follows:

#### IN PURSUIT OF THE FAILED MCLEAN S&L (By Sharon Walsh)

The Federal Deposit Insurance Corp., criticized in the past for not aggressively going after the directors and officers of failed banks and thrifts, did pursue former leaders of McLean Savings & Loan Association.

In nearly four years, the government spent more than \$3.8 million on legal fees in its quest to recoup taxpayer dollars, according to the FDIC.

But thus far the FDIC's aggressive legal tactics in the McLean case have resulted in little recovery and a bungled prosecution, according to those familiar with the case.

Out of initial FDIC claims of \$15 million against numerous officers and directors, two defendants settled charges with the agency for a total of \$40,000. All other charges were

dismissed May 1 when a federal judge ruled that attorneys at Beveridge & Diamond, the Washington law firm that handled the case for the FDIC, failed to file the lawsuit before the Virginia statute of limitations expired. In the lawsuit, the government charged that the negligence of former McLean officers and directors contributed to the S&L's failure, which the FDIC estimates will cost taxpayers \$88.4 million.

But the statute of limitations issue was not the only pitfall for the prosecution, according to court documents and interviews.

A key government witness in the case, Anthony Satariano, is a fugitive, according to federal prosecutors. The FDIC cannot collect about \$1 million in settlements with directors—who say they settled to avoid the cost of litigation—because the government filed papers in the wrong courthouse, according to legal documents.

The government also paid \$860,000 for the right to pursue certain other claims against the McLean directors, according to court records. Those claims turned out to be worthless.

"It's shocking and distressing," said Jonathan Schraub, an attorney for some of the McLean directors. "The FDIC's shoot-now, ask-questions-later attitude is driven by a search for deep pockets and insurance money, not by a search for the truth. They had no case here whatsoever."

Alfred J.T. Byrne, general counsel for the FDIC, declined to comment on the specifics of the McLean case.

However, speaking generally about the agency's ability to monitor the work of outside law firms it hires, he said: "I'm certain, given the complexity and number of cases, we do not do it perfectly."

Judge Albert V. Bryon Jr., noted that there was "a genuine issue of fact as to the good faith business judgment" of the defendants. But because of the statute of limitations problems, the case could not be tried on its merits, he said. The FDIC has said it will appeal the ruling, relying on a federal statute that gives the agency three years to bring such cases.

FDIC Chairman William Taylor has asked the FDIC's inspector general, its independent internal investigator, to look into the handling of the case by lawyers inside and outside the agency, sources said.

The government has spent millions of dollars in the McLean case on a matter where it will not recoup its costs, sources said. The FDIC started out seeking \$15 million from the defendants, but later reduced that amount to about \$8.5 million. With legal fees for an appeal added to what it already has spent, the FDIC is unlikely to come away with much, if anything, for its own coffers.

Recovering money for taxpayers is only one of the FDIC's goals in such cases. The agency also files lawsuits to punish officers and directors of financial institutions for past offenses and to deter others from future wrongs.

The several million dollars spent on the McLean case is a tiny percentage of what the FDIC spends yearly on hiring private legal help. Last year the agency spent \$374.2 million on outside legal fees and expects to spend about \$266 million this year.

FDIC General Counsel Byrne said he personally looked into the handling of the McLean case after Judge Bryan dismissed it on May 1. Earlier this year, the FDIC fired Beveridge & Diamond and replaced it with the Washington firm of Bayh, Connaughton, Fensterheim & Malone.

"We were not satisfied that they [Beveridge & Diamond] were making the

case as efficiently and cost-effectively as we would have liked," Byrne said.

Benjamin F. Wilson, the Beveridge & Diamond lawyer who filed the case for the FDIC, disagreed. "We feel that we handled the case appropriately and did a good job," he said.

The office of the FDIC's inspector general began its investigation of the handling of the case after one former director of McLean, Marshall C. McClean, complained publicly to FDIC Chairman Taylor of what he called a government "shakedown" of McLean directors and officers. [Details, page 13.]

Former McLean directors said the thrift's failure occurred because of the area's weak real estate market, not because of negligence.

The General Accounting Office recently criticized the FDIC for its lack of aggressiveness in bringing suits against high-profile officers and directors of failed banks and thrifts.

So far this year, by the FDIC's own count, it has brought only nine cases against former officers and directors in its attempt to recoup some of the taxpayer money lost when institutions fail. In 1991, 52 cases were brought, 47 of which still are active.

Many of the former defendants in the McLean case say they find it difficult to understand why the government chose them out of the many cases they could have brought.

"It was a totally groundless lawsuit," said Richard Blair, a former director of McLean and a retired Virginia attorney. "It leaves me very suspicious. I hope they aren't handling all the cases like this."

Judge Bryan has agreed with some of the defendants' arguments concerning how the case was handled.

Although he twice denied motions to sanction lawyers working for the government in the case, he did take the unusual step of awarding one defendant \$6,600 in court costs arising from those complaints.

Many of those involved in the suit cited the government's reliance on Anthony Satariano as a weakness.

"The investigation was fundamentally flawed because of Satariano," said John E. Harrison, a Virginia banking attorney who has done work for the FDIC and who was sued by the FDIC as outside counsel to McLean.

When McLean failed in 1988, the FDIC fired most of the directors and officers at the Northern Virginia thrift, but kept Satariano on when they reopened the institution as McLean Federal Savings & Loan Association.

Satariano was made the chief financial officer at the new McLean. And the government relied on information Satariano provided them to bring cases against the former officers and directors of McLean, according to court documents.

But there may be a problem with relying on Satariano if the government's appeal should ever lead to a trial. Satariano, a federal fugitive who is believed by federal prosecutors to be in Malta, was indicted in February for allegedly embezzling \$763,000 from NVR Savings Bank, a successor to McLean.

"When [Satariano] went south on them it was devastating," said Schraub, the attorney for some of the McLean directors. "It would have been virtually impossible to put on their case without him."

According to court documents, the defendants wrote to the FDIC's lawyers at Beveridge & Diamond telling them that their case was flawed because much of the evidence had come from Satariano.

But in court documents filed by the government, its lawyers contested the defendants' claims. "The FDIC's case is based on far more than Mr. Satariano. . . . Satariano was unlikely to have been called by the FDIC as a witness due to his unavailability, and the FDIC planned to prove its case on evidence other than his testimony."

Another problem involved the government's purchase of claims against the directors that turned out to be worthless.

In 1988, McLean Financial Corp. (MFC), which once had been a subsidiary of the thrift, filed for bankruptcy protection from its creditors. The FDIC paid \$860,000 at that time to purchase claims against the former directors of MFC from the estate of the bankrupt corporation.

The claims, said several attorneys familiar with the case, were worthless because MFC was a private company that was no longer controlled by the FDIC.

The statute of limitations appears to be the biggest of the government's problems with the case.

FDIC General Counsel Byrne noted that it is well accepted in federal courts that the statute of limitations is three years from the date the government appoints a receiver and that Judge Bryan's decision will be overturned on appeal. A receiver was appointed in 1988 and the government's case was filed in November 1991.

The defendants also alleged in court documents that lawyers for the FDIC refused to discuss the basis for its claims until after it received information regarding the amount of insurance coverage the defendants had. FDIC chairman Taylor has said that the agency wants to ensure that defendants have the ability to pay before it brings a case.

"In other words," said one court filing by the McLean defendants, "the FDIC was . . . more concerned with the depth of the pocket than the factual or legal basis of its alleged claims."

#### WRONG MAN SITTING ON DEATH ROW

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

Mr. TRAFICANT. Mr. Speaker, the Justice Department now says they did not have all the facts when they convicted John Demjanjuk, the retired autoworker from Cleveland, as being the infamous Ivan the Terrible of Treblinka.

Mr. Speaker, that is a bold-faced, outright, despicable, disgusting lie.

In the FOIA request that I got, it shows that in August of 1978 our Justice Department knew that the real Ivan the Terrible was Ivan Marchenko, not Demjanjuk, but they chose to prosecute, and they continued to do the illegal thing, aiding and abetting the prosecution and conviction of this man, sitting on death row, without assisting to bring him back.

If they have a further investigation for Demjanjuk, fine. He is not Ivan. The Justice Department knows he is not Ivan, unless they are trying to convince us, folks.

They are a bunch of incompetent Katzenjammer Cops that do not know up and down.

I say Congress should assist, now, in doing the right thing. With a Justice Department like this, I do not know why America ever feared the KGB.

#### TRUST, CHANGE, AND NEW LEADERSHIP

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

Mr. APPELEGATE. Mr. Speaker, George Bush is not going to be the President of change. Of course, he was not able to effect any changes in 4 years.

But his advisers for change have changed their minds, and now he is going to be the President of trust. He is going to say "Trust me."

Well, you remember when Ronald Reagan was talking about the Soviet Union. He called them the Evil Empire, and he said, "We have to trust them, but we must verify that trust."

The Soviet people could not do that. They could not trust their leaders, so they threw them all out, and they changed the whole system.

Well, America needs change. America needs trust, and America needs new leadership.

I will tell you this: The Democrats can give it to America, and if you think George Bush can be trusted for 4 more years, there is another leader in Iraq who George Bush trusted, and he, too, needs to be replaced.

#### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

Mr. NATCHER. 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. 5677) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1993, and for other purposes; and, Mr. Speaker, pending that motion, I ask unanimous consent that debate on this bill be limited to 30 minutes, the time to be equally divided and controlled by the gentleman from Michigan [Mr. PURSELL] and myself.

The SPEAKER pro tempore (Mr. LEWIS of Georgia). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

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

The motion was agreed to.

□ 1015

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. 5677 making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1993, and for other purposes, with Mr. SHARP 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 (Mr. SHARP). Under the unanimous-consent agreement, the gentleman from Kentucky [Mr. NATCHER] will be recognized for 15 minutes, and the gentleman from Michigan [Mr. PURSELL] will be recognized for 15 minutes.

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

Mr. NATCHER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I am pleased today to bring before the House the fiscal year 1993 appropriations bill which provides funds for the Departments of Labor, Health and Human Services, and Education, and related agencies. This bill appropriates \$240,426 million for the 3 Cabinet Departments and the 18 independent agencies which come under the subcommittee's jurisdiction. This includes \$11,825 million for the Department of Labor, \$198,467 million for the Department of Health and Human Services, and \$28,935 million for the Department of Education. These amounts are described in detail in House Report 102-708 which was filed in the House last Thursday.

I want to begin by saying that it has always been an honor and privilege for me to serve on the Appropriations Committee with my chairman, JAMIE WHITTEN. As a member of the subcommittee, he has helped us down through the years on this bill, and we appreciate his support. As you know, this is the last time that four members of our subcommittee will present a Labor-HHS bill to the House. I want to thank ED ROYBAL, BOB MRAZEK, VIN WEBER, and especially our ranking member, CARL PURSELL, for their hard work on the subcommittee each year. We will miss them. I also want to thank each of the other members of the subcommittee.

Mr. Chairman, I have been on the floor when each of the appropriations bills has been considered this year. Each time, the subcommittee chairman presenting the bill described what a difficult year this has been, what unpleasant choices had to be made, and how inadequate their resources were to address the Nation's problems. I can only repeat what my colleagues have said—this is the most difficult year I can remember since I have been on the Labor-HHS subcommittee. Our bill addresses the most pressing needs of our country—health, education and job training—yet under the terms of the

Budget Enforcement Act, we don't have the resources that should be invested in these areas. We have done our best to fashion a good bill within the constraints of our budget allocations. It won't satisfy the expectations of all the Members—it doesn't satisfy our own. But we have done it the right way. We have made the hard choices rather than resorting to gimmicks like delayed obligations. The President's budget proposed almost \$2.9 billion in delays; our bill contains none. In addition, we have tried to restore many of the program reductions proposed by the President which were not justifiable, even though it meant foregoing increases in worthy areas. Despite these constraints, we managed to provide increased funding in several important areas.

The bill provides \$23,879 million for discretionary education programs, a \$1,330 million, or 5.9 percent, increase over 1992. Areas receiving increases include compensatory education for the disadvantaged, special education, vocational and adult education, and student financial assistance. The committee took the responsible course of providing \$704 million for the 1991-92 Pell grant shortfall. The alternative would have left us with a \$1.4 billion shortfall to be paid next year. Putting things off until next year always looks good until next year arrives. We have faced up to the shortfall now rather than confront a crisis in 1994. Under the bill, the maximum Pell grant would be set at up to \$2,300. The Impact Aid Program is restored to approximately the 1992 level. The bill also provides a \$519 million increase for the Head Start Program.

The committee has not considered the President's \$768 million request for the Educational Excellence/America 2000 initiative pending completion of authorizing legislation.

Biomedical research has long been a priority of the subcommittee, and the bill includes a \$279 million increase for the National Institutes of Health. We would have approved a larger increase if we could, but the money was just not available. This is the first year that I can remember in which the committee bill is below the President.

The bill gives special attention to women's health issues. The report directs NIH to increase spending on breast, cervical, and ovarian cancer by no less than one-third over 1992 levels. In addition, the bill provides \$43 million for the second year of the women's health initiative and \$10.9 million for the Office of Research on Women's Health.

The bill includes approximately \$1.98 billion for AIDS research, prevention, and treatment, which is \$93 million above last year. Within this total, the Ryan White programs receive an increase of \$50 million. Sufficient funding is provided to support the six cities that are newly eligible for assistance

under title I of Ryan White without reducing grants to currently funded cities.

The committee is very concerned about recent outbreaks of tuberculosis in our cities and among vulnerable populations. The bill includes \$105 million for tuberculosis control efforts, an increase of \$59 million over 1992. Additional funds are provided for biomedical research related to TB.

The bill provides \$4,201 million to carry out the Job Training Partnership Act, including \$989 million for Job Corps; \$30 million is designated for two new Job Corps centers, which will be competitively awarded.

Funding for childhood immunizations increases by \$49 million over last year's level, to a total of \$346 million. The bill provides a \$19 million increase for the breast and cervical cancer screening program.

As I mentioned earlier, the committee was forced to reduce some programs below their 1992 level in order to provide increases for others within a very limited budget ceiling. Programs that are funded below 1992 levels include low income home energy assistance, refugee and entrant assistance, community services block grant, and health professions training. In addition, the bill reduces the 1993 appropriation for State legalization impact assistance by \$562 million and includes language converting Medicare survey and certification activities to a fee-financed system, for a savings of \$289 million.

Throughout the bill, the committee has taken a very tough line on Federal salaries and expenses, reducing these expenditures \$253 million below the administration's request. We have provided the minimum increases necessary to prevent furloughs or reductions in force.

Because I know it is of concern to a number of Members, I will mention that the bill includes the traditional language prohibiting the use of funds for abortion unless the life of the mother is endangered. This language has been a part of the law since 1981. The bill does not contain provisions related to the so-called gag rule or parental notification.

I commend this bill to my colleagues. We have done our best to meet the needs of the country with the resources we were allocated. We have not exceeded our 602(b) budget authority and outlay ceilings. We ask for your support.

H.R. 5677, the fiscal year 1993 appropriations bill for the Departments of Labor, Health and Human Services, and Education, and 18 related agencies, includes appropriations totaling \$240,426 million, which is \$46 million below the amounts requested by the President, and \$21,163 million over the comparable amounts available for 1992.

Entitlement programs, whose funding levels are determined by authoriz-

ing legislation, comprise more than 74 percent of the bill's total appropriations. The bill includes \$178,826 million for these entitlements, an increase of \$20,220 million above the amounts available for these programs in fiscal year 1992.

For discretionary programs, whose spending is controlled through the annual appropriations process, the bill includes \$61,601 million for fiscal year 1993, which is a decrease of \$51 million below the President's budget and \$943 million above the amount available for fiscal year 1992. The committee has provided funding for currently unauthorized, ongoing programs at levels not in excess of fiscal year 1992 totals.

#### DEPARTMENT OF LABOR

The bill provides a total of \$11,825 million for the Department of Labor, including \$9,714 million for discretionary programs and \$2,111 million for entitlements. The bill exceeds the President's request for discretionary programs at Labor by \$292 million and the 1992 level by \$299 million.

The bill includes \$4,201 million for programs under the Job Training Partnership Act, an increase of \$83 million over the President's request. This total includes \$989 million for the Job Corps, which is \$34 million over last year's level. This amount is sufficient to start two new Job Corps centers, as well as maintain the current centers. Community services employment for older Americans is supported at \$391 million, an increase of \$48 million over the request. Trust funds and general funds for State unemployment insurance and employment service operations total \$3,281 million, \$8 million above the request.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

The bill includes \$198,467 million for activities administered by the Department of Health and Human Services. For discretionary activities, the bill includes \$26,808 million, which is a decrease of \$29 million below the amount requested by the President and \$668 million below the comparable amount available for these programs in 1992.

#### HEALTH RESOURCES AND SERVICES ADMINISTRATION

The bill restores about 75 percent of the President's proposed reductions in health professions training, providing a total of \$248 million for these activities. AIDS programs are funded at \$362 million, of which \$327 million is appropriated for the three titles of the Ryan White Act—an increase of \$50 million over last year's funding and \$24 million above the President's request. Funding for community and migrant health centers, the infant mortality initiative, the Maternal and Child Health Block Grant, and the National Health Service Corps is maintained at approximately the 1992 level.

#### CENTERS FOR DISEASE CONTROL

The bill includes \$1,619 million for the Centers for Disease Control, which

is \$131 million above the 1992 level. Major funding increases above 1992 include: \$49 million for childhood immunizations; \$59 million for tuberculosis control activities; \$24 million for AIDS activities; and \$19 million for breast and cervical cancer screening.

#### NATIONAL INSTITUTES OF HEALTH

The bill includes \$9,211 million for the 20 appropriations which together fund the programs of the National Institutes of Health [NIH]. The total for NIH is \$279 million above the amount available in 1992 but \$165 million below the administration request. The committee reallocated \$47 million within the President's request, principally from savings associated with freezing administrative costs and the blocking of the transfer of funds to the Agency for Health Care Policy Research, to provide additional research resources to the Institutes. The report highlights the committee's continuing commitment to women's and minority health issues.

#### ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

The bill includes \$3,100 million for these activities. This is \$28 million above the 1992 funding level but \$141 million below the President's request. Mental health research funding increases by \$12 million over 1992. Funding is increased for several drug abuse programs, including treatment improvement grants, the capacity expansion program, and substance abuse prevention programs. The committee bill reflects the current structure of these programs prior to the transfer of research activities to the National Institutes of Health. The committee expects this reorganization to be accomplished prior to submission of the 1994 budget request.

#### CAPITAL IMPROVEMENT FUND

This new activity is funded through a 1-percent transfer from all discretionary Public Health Service programs. The \$165 million made available will be used for construction and fixed property repairs and renovations throughout the Public Health Service. Initially the fund is available to complete construction of the new Consolidated Office Building at the National Institutes of Health and the new facility for the National Institute of Environmental Health Sciences in North Carolina.

#### AGENCY FOR HEALTH CARE POLICY RESEARCH

The bill provides \$106 million in general funds and Medicare trust funds, an increase of \$32 million above the President's request and approximately the same as the 1992 level. The committee has included a limitation of \$13 million on transfers from the other Public Health Service agencies, compared to the \$51 million transfer requested by the President.

#### HEALTH CARE FINANCING ADMINISTRATION

The bill includes \$84,411 million for the 1993 program level for the Medicaid

Program, which is \$11,908 million higher than the 1992 level; \$1,628 million is provided for Medicare contractors and \$15 million is included to continue the rural hospital transition demonstrations. The bill includes language establishing fees for survey and certification under the Medicare and Medicaid programs, for a savings of \$289 million.

#### SOCIAL SECURITY ADMINISTRATION

The committee recommends that \$4,652 million be expended from the Social Security trust funds for administrative costs of the Social Security retirement, survivors, and disability program. An additional \$59 million would be available from fees for Federal administration of SSI State supplemental payments. This program level is \$161 million more than the comparable 1992 operating level and will support a staff level of approximately 63,730 FTE and 66,093 work years.

#### ADMINISTRATION FOR CHILDREN AND FAMILIES

The bill includes \$15,442 million for the 1993 program level for family support payments to States, which is \$241 million above the 1992 level and the same as the administration request; \$1,000 million is provided for the Job Opportunities and Basic Skills Training Program; \$1,491 million is provided for low-income energy assistance programs, of which \$891 million is available at the beginning of the fiscal year and \$600 million is provided in an emergency fund, to be made available only upon submission of a request by the President designating it as an emergency; \$322 million is provided for the refugee and entrant assistance program, which is \$95 million above the President's request and \$89 million below the 1992 level. The committee reduces 1993 funding for State legalization assistance grants by \$562 million. These funds would instead become available on October 15, 1993. The committee restores the community services block grant to a level of \$395 million. The President had proposed to terminate most of these activities. The bill provides \$842 million for the child care block grant, an increase of \$16 million over the 1992 level. The Head Start Program receives \$2,720 million, an increase of \$519 million over the 1992 level. Administration on Aging programs are funded at approximately the 1992 level.

#### DEPARTMENT OF EDUCATION

For the Department as a whole, the bill includes \$28,935 million, an increase of \$1,669 million over the 1992 level. The amount for discretionary programs is \$23,879 million, which is \$1,330 million, or 5.9 percent, above the 1992 level.

#### COMPENSATORY EDUCATION FOR THE DISADVANTAGED

The bill includes \$6,749 million for chapter 1 of the Elementary and Secondary Education Act, which is \$54 million above the 1992 level. The

amount provided includes \$5,470 million for basic grants to local school districts and \$703 million for concentration grants. Also included is \$89 million for the Even Start Program, and \$40 million for capital expenses for private school students.

#### IMPACT AID

The committee bill provides \$764 million for impact aid, \$232 million over the budget request. This amount includes \$585 million for category A and \$135 million for category B payments, which are approximately the same as the 1992 levels.

#### SCHOOL IMPROVEMENT

The bill includes \$1,558 million for the 20 activities which together comprise the school improvement account. This total is \$63 million below the President's request, largely because the Weed and Seed Program will be funded through the urban aid bill; \$612 million is provided for drug-free schools. Funding for math and science programs increases by \$6 million over 1992 to a total of \$246 million.

#### EDUCATIONAL EXCELLENCE

No funds have been included for the President's proposed \$768 million educational excellence initiative. The committee was not able to provide funding since no legislation has been enacted to authorize the program.

#### BILINGUAL AND IMMIGRANT EDUCATION

The bill provides \$231 million for these activities, which is \$6 million above the 1992 level.

#### SPECIAL EDUCATION/REHABILITATION SERVICES

The bill provides \$2,920 million for special education, which is \$65 million above the 1992 level. The rehabilitation services and disability research account is funded at \$2,125 million, which exceeds the 1992 appropriation by \$48 million.

#### VOCATIONAL AND ADULT EDUCATION

The bill appropriates \$1,199 million for the Carl D. Perkins Vocational Education Act, an increase of \$58 million over the 1992 level and \$56 million over the President's request. Included within this total is \$981 million for basic grants, an increase of \$31 million over 1992, and \$120 million for tech prep, an increase of \$30 million over 1992. The bill also provides \$310 million for adult education, an increase of \$22 million over 1992.

#### STUDENT FINANCIAL ASSISTANCE

The bill provides \$8,101 million for student financial assistance, which is an increase of \$1,204 million over the 1992 level and \$412 million over the President's request—\$704 million is provided to address the 1991-92 Pell grant shortfall. The committee bill provides funding for a maximum Pell grant of not to exceed \$2,300. The bill restores \$248 million to Perkins loans and \$71 million to State student scholarships, both of which the President proposed to eliminate. Supplemental educational opportunity grants are funded at \$571 million.

#### HIGHER EDUCATION

A sum of \$118 million is provided for historically black colleges and universities. Special programs for the disadvantaged [TRIO] receive \$376 million.

#### LIBRARIES

The bill restores the funding for the library programs to approximately the 1992 level. The President had proposed to reduce funding to \$35 million.

#### RELATED AGENCIES

The bill includes \$1,199 million for 18 related agencies. This amount is \$17 million below the request and \$18 million below the 1992 funding level. The total includes \$272 million for 1995 funding for the Corporation for Public Broadcasting. Full funding of \$294 million is provided for railroad retirement dual benefits.

□ 1020

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

Mr. Chairman, I rise today in my last opportunity to preside as the ranking Republican member on a great appropriations bill, one I love dearly, Labor, Health and Human Services. First, I want to commend a great chairman, the gentleman from Kentucky [Mr. NATCHER] who has been my leader and my mentor over the years that I have served on this committee.

I also want to thank Mike Stephens, Bob Knisely, John Blazey, Mark Mioduski, Susan Quantius, and my staff, Kevin Kraushaar, and Dr. David Recker, who have been helpful in putting this bill together professionally on both sides of the aisle.

I think it is a bipartisan bill.

I want also to thank Secretary Martin, Secretary Sullivan, and Secretary Alexander for contributing to this piece of legislation.

Mr. Chairman, I support this bill. It was one of the toughest bills I have ever worked on. The discretionary spending is \$61.6 billion. That is only up 1½ percent from 1992.

Mandatory spending, however, over which we have no control as an appropriation subcommittee, is \$178.8 billion, up 13 percent from fiscal year 1992.

Mr. Chairman, the problem with the budget deficit is not so much the discretionary part, as it is the need to put caps and change the entitlements, which are almost \$1 trillion of a \$1.6 trillion budget.

It is clear from these figures why our deficit continues to grow.

Delayed obligations were a serious problem in last year's bill. I want to congratulate the gentleman from Kentucky [Mr. NATCHER], the chairman, again for resisting any temptation to include any delayed obligations in the bill this year. That was a bad practice and I am very proud of this subcommittee to see that the delayed obligation practice has ceased.

I am glad to leave this committee, without any new delayed obligations.

In the Labor Department, the Women's Bureau is \$7.5 million. I wanted to mention Secretary Martin's continued work on the "Glass Ceiling Commission" and for her work in publishing the "Handbook on Women Workers." She has done an outstanding job.

In the Department of Health and Human Services, funding for the NIH is only up 3 percent. I wish that had been higher. The Institutes that comprise the National Institutes of Health are outstanding. They are the crown jewels of this appropriation bill.

I want to thank the gentleman from Ohio [Mr. STOKES] for working with me specifically on lupus, a disease which is prevalent primarily in women, particularly black women, and I want to thank the gentleman from Ohio [Mr. STOKES] for his personal partnership with me over the last few years.

I would like to congratulate the gentleman from Florida [Mr. YOUNG] also who has done some outstanding work on our side of the aisle for the bone marrow transplant program.

I have also had the honor to work with the nursing community on what I hope will eventually be the Nursing Institute. Ada Sue Hinshaw and her co-workers have contributed to the health community in an outstanding manner.

The entire AIDS budget is \$2 billion for the entire bill this year. That is up \$93 million from 1992, which is a 5-percent increase, and includes an increase of \$51 million in the Ryan White program; a full 18-percent increase.

Funding for AIDS started in 1981, and was only \$200,000. Since 1982, the Federal Government has spent \$16.7 billion on AIDS programs, including research, to find a cure for AIDS. Of that \$16.7 billion, \$8.6 billion has been in the Labor, Health and Human Services bills.

Funding for the CDC is up \$150 million, and we have an outstanding Center for Disease Control.

In the Education budget, we have had difficulty because most of the programs that Secretary Alexander has recommended have not been authorized, so this committee was unable to give him a lot of assistance this year and I deeply regret that.

Even Start is \$89.1 million, and I want to thank the gentleman from Pennsylvania [Mr. GOODLING], who is the ranking member on the Committee on Education and Labor, for his leadership on that program.

The Higher Education Program is \$831 million less than what the President recommended for higher education in this country.

Our Student Aid Program is \$8.1 billion, up \$1.2 billion from fiscal year 1992. The committee found ways and means to include \$700 million to cover the Pell grant shortfall, but I think next year we are going to have a serious problem.

In conclusion, I want to thank the full subcommittee for its outstanding

leadership, particularly the staff and my chairman, the gentleman from Kentucky [Mr. NATCHER] for some outstanding leadership over the many years in education, health and labor, the highest priority I think that this Congress should address in future years.

I want to thank also my personal staff for their assistance on this bill.

Mr. NATCHER. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ROYBAL].

Mr. ROYBAL. Mr. Chairman, I rise in support of H.R. 5677, the fiscal year 1993 Labor, Health and Human Services, Education, and related agencies appropriations bill. This is the last time I will have the opportunity to commend my colleague, BILL NATCHER, for his fine leadership as chairman of this subcommittee. I've been a member of this subcommittee for many years. Each of these years BILL NATCHER has presented an outstanding Labor, Health and Human Services, and Education appropriations bill to the House of Representatives. I thank my distinguished chairman, BILL NATCHER, for his leadership and guidance. It has been a distinct honor to serve on his subcommittee.

I would like to acknowledge three other members of this subcommittee who will be leaving at the close of the 102d Congress. CARL PURSELL, the ranking minority member, Congressman VIN WEBER, and Congressman BOB MRAZEK. All three have been fine members of the Labor, Health and Human Services, and Education Appropriations Subcommittee and I wish them success in their future endeavors.

Mr. Chairman, the Labor, Health and Human Services, Education, and related agencies appropriations bill on the floor today contains programs which serve the most disadvantaged citizens in the United States. Migrant and dislocated farmworkers, individuals with AIDS, disadvantaged youth, immigrants, and victims of Alzheimer's disease and other chronic illnesses, are all recipients of the funds made available in this appropriations bill. It is highly unfortunate that these programs cannot be fully funded because of tight fiscal constraints and skewed budget priorities. I want to point out that this bill was marked up without delayed obligations. It presents a true picture of the financial realities faced by the subcommittee this year. Many programs remain at the fiscal year 1992 level, and then subject to the 1-percent across-the-board cut necessary to remain within the 602(b) allocation. I agree with the chairman: No one is completely satisfied with this bill, no one wants to see more cuts in funding for research, social services, or education programs. However, we must work within the restraints of the budget agreement.

The House fiscal year 1993 Labor, Health and Human Services, Edu-

cation, and related agencies appropriations bill does include increases for several key programs: In the Department of Labor's Job Training Partnership Act, \$28 million over the administration's request is included for dislocated worker assistance. An additional \$30 million is available for construction of two new Job Corps centers. The committee also provided funds for community service employment for older Americans at just below the fiscal year 1992 level, rather than accepting the \$48 million decrease requested by the administration.

Within the Department of Health and Human Services, additional funds are provided for Ryan White AIDS activities, including increases for the title I emergency assistance programs, as well as funds to continue the dental reimbursement programs for dental schools and postdoctoral dental education programs within title II. The committee realizes that education and prevention are imperative in fighting the AIDS epidemic and therefore provides additional AIDS moneys within the Centers for Disease Control for behavioral studies of underrepresented communities and development of educational materials for non-English speaking individuals.

The committee has also included increases tuberculosis activities at the Centers for Disease Control. Like AIDS, TB has reached epidemic proportions across the United States. Additional funding will be directed toward minority populations in the inner cities and border areas where the disease is most prevalent. The committee report to H.R. 5677 contains language which supports the CDC's efforts to involve Hispanic women in addressing public health problems in their communities. Through its Hispanic women's leadership program, the CDC has moved forward in utilizing Spanish-language communication materials for education initiatives in several areas including immunization, tuberculosis, AIDS, and breast and cervical cancer.

The fiscal year 1993 LHHSE appropriations bill includes an increase of \$18 million over the fiscal year 1992 level for the National Institute on Aging to continue its research into Alzheimer's disease and the changing needs of the elderly population. I am particularly pleased that funds are added to the NIA for the establishment of centers on applied gerontology research designed to better translate research findings into clinical applications for the elderly, especially among minority populations. Other aging programs housed within the Administration on Aging are funded at close to the fiscal year 1992 level as they await reauthorization. I applaud the committee's decision not to reprogram \$2 million for the White House Conference on Aging as those funds can be better used elsewhere until there is an authorization for such a conference.

I support the committee's decision to utilize the \$768 million requested by the Administration for America 2000 to provide increases in authorized programs within the Department of Education. As a result of this decision, funds are available for impact aid "b" payments, vocational education activities, and student loan programs. I agree with the committee recommendations to reject the administration's proposal to eliminate the Perkin's loans and State student scholarship programs. As the stated in the committee report, most of the activities within higher education were not authorized at the time of our subcommittee markup. These programs will be dealt with when we go to conference with the Senate. I am pleased, however, that a \$1 million set-aside is included in the fund for the improvement of postsecondary education for continuation of the minority teacher training initiative that was begun in fiscal year 1992.

As the chairman well knows, the SLIAG Program remains one of my top priorities. In the fiscal year 1993 bill \$561 million of the remaining \$1.12 billion in SLIAG funds will become available for reimbursement to the States. The committee is acutely aware that this amount will not adequately cover all prior costs incurred by the States. However, I am reassured by the chairman's promise that the remainder of the funds will be appropriated in fiscal year 1994 for the final year of the SLIAG Program.

I commend Chairman NATCHER and my colleagues on the subcommittee on H.R. 5677, the fiscal year 1993 Labor, Health and Human Services, Education, and related agencies appropriations bill. I think that it sets clear priorities for the upcoming year. Perhaps other Members of this body, and constituents will question the sparse increases in this bill. I must reiterate that it reflects our budgetary reality. Mr. Chairman, I support you in the tough decisions you made regarding programs so important to all the people of the United States and I urge all my colleagues to vote in favor of H.R. 5677.

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

Mrs. MORELLA. Mr. Chairman, I rise in support of H.R. 5677, the Labor-Health and Human Services-Education appropriations bill. I am deeply distressed about the lack of adequate funding for so many critical programs, and yet I recognize the extremely restrictive circumstances under which Chairman NATCHER and the subcommittee had to work in developing this year's bill.

I want to commend Chairman NATCHER and the subcommittee for their continuing support of women's health, particularly for research on breast, cer-

vical, and ovarian cancer, the women's health initiative, and the office of research on women's health at NIH.

I am pleased that the committee provided funding to ensure that the natural history study of HIV infection on women can proceed in 1993 and reaffirmed its commitment to the enrollment of women and people of color into AIDS clinical trials. The committee has restored \$5 million in funding reductions made in 1992 to CDC community-based AIDS prevention and education programs; these reductions were most devastating to prevention programs for women and people of color. Funding increases are provided for title I and II of the Ryan White Care Act; while these increases are far less than we had hoped, they will make a critical difference in the services provided to the cities with the highest incidence of HIV/AIDS.

I am also pleased with the high priority placed on residential substance abuse treatment programs for pregnant and postpartum women and their children. These efforts were expanded in the ADAMHA reauthorization bill and are critically needed.

I do have serious concerns with the reductions made in a number of other critical programs, such as LIHEAP, community health centers, family violence prevention and services, the job training partnership act, refugee resettlement programs, and Pell grants. I will work to improve the funding for these and other underfunded programs when the House and Senate meet in conference.

I recognize that the committee did the best that was possible under the restrictions imposed by this year's budget, and I commend the chairman for his continuing strong commitment to the health and education needs of our Nation.

Mr. NATCHER. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. EARLY].

Mr. EARLY. Mr. Chairman, this is a bare bones bill.

Overall, the increase for domestic discretionary programs is 1.5 percent—less than inflation. Funds for many social programs were cut. In some instances where there are increases, the increase is not enough to keep up with inflation; in others, the increases are less than requested.

This is a bill that I don't think any member of the subcommittee is satisfied with. I know I'm not.

We should be doing more, not less in the areas of health, and education, and research.

Let's take the National Institutes of Health, although an increase has been provided for the National Institutes of Health, it is \$165 million less than requested. This funding level is not adequate.

There are over 100 clinical trials of new drugs and therapies that will not

be funded because we did not provide enough money in this bill. What are these diseases? Breast cancer; prostate cancer; multiple sclerosis; Alzheimer's disease; coronary heart disease and kidney disease; AIDS; and vaccines for many diseases, to name a few.

The number of new and competing grants—and the number of grants overall—to find the cause, and to prevent and treat so many diseases will decline. The budget request would have funded only 5,800 new and competing grants. A few years ago, we were funding over 6,000. Under the bill, this number will drop well below 5,800.

Grant awards, which are already reduced below peer-review recommended levels, will in all likelihood be cut even further—slowing research.

Success rates will fall further—from the 26 percent estimated in the budget request to less than 25 percent. Some institutes will probably fall to 20 percent or less.

Alzheimer's disease affects 4 million Americans. It costs this country \$90 billion in health care costs for Alzheimer's patients. Yet, we now spend only \$200 million for Alzheimer's disease research; 500,000 people die annually of cancer. Yet we could save 100,000 of those people if we could get earlier diagnosis and treatment for them.

An estimated 180,000 new cases of breast cancer will be identified in the United States in 1992. An estimated 46,000 women will die in 1992. Approximately 1 in every 9 women will develop breast cancer in their lifetime. Yet, we do not spend enough on research on breast cancer.

Among most American men, cancer of the prostate is the most prevalent form of cancer and the second leading cause of death. One of every ten men will develop prostate cancer sometime in this life.

A little over a month ago, a study was released indicating that in 8 years, 120 million people, including 10 million children, will be infected with HIV. Yet, we do not spend enough money for AIDS research.

We are now faced with a new drug-resistant strain of tuberculosis. Yet, we are unable to provide the additional resources we should to address this problem—one that is beginning to take U.S. lives.

Stroke is the third leading cause of death and the chief source of long-term disability. We should be spending more in this area. Rather, we will continue to spend more on health care costs for long-term care.

Osteoporosis affects 24 million Americans, mostly women. The economic costs—\$7 billion to \$10 billion annually—dwarf the \$79 million we will spend on research on this condition this year.

What about some of the other health programs? We know that good prenatal care affects pregnancy outcomes. We

know that immunization works. We know that these and other preventive care programs reduce morbidity and mortality. We should be spending more for these programs. We need to recognize that they save money in the long run. We are being penny wise and pound foolish.

We should be doing more in the area of mental health and substance abuse. We have declared war on drugs. But, we are leaving the wounded on the battlefield.

Funding for LIHEAP is not adequate. In 1985 and 1986, we appropriated \$2.1 billion for the Fuel Assistance Program. For fiscal 1992, we appropriated \$1.5 billion, of which \$406 million was delayed obligations.

The budget request proposes \$1,065,000,000, with \$799 million in delayed obligations. Only \$266.2 million would be available at the beginning of the cold weather season. In this bill, we were able to provide only \$891 million, but none of the funds are delayed. And, as was the case last year, we have provided an emergency account. For fiscal 1993, we have increased the emergency account to \$600 million.

Over the past year, the AFDC caseload has increased significantly, 24 percent. Over 3 million households receive food stamps who did not qualify before. All are eligible for the LIHEAP program, as are working poor households and many of the new UI recipients. Nearly 60 percent of LIHEAP recipient households have annual incomes under \$6,000 per year. They spend almost 15 percent of their income for home energy expenditures.

Fewer families are receiving assistance, 900,000 fewer in 1990, and the amount of assistance is being reduced. States are reeling economically, and are in less of a position than ever before in being able to step in and help fill the gap.

Mr. Chairman, we are a wealthy nation, and we should be able to do better than this.

□ 1030

Mr. MARKEY. Mr. Chairman, I rise with very grave concerns about this legislation. While I recognize the need for fiscal austerity, the cut H.R. 5677 prescribes for the Low Income Home Energy Assistance Program [LIHEAP] will be devastating for low-income families throughout this country. And although the bill boosts funding for important programs like Head Start, it would hurt the same families that benefit from Head Start by cutting LIHEAP so drastically.

For over a decade, Presidents Reagan and Bush have each year targeted LIHEAP for enormous cuts. And as appropriations for LIHEAP dropped through the 1980's, energy prices were on the rise, squeezing the low-income families who rely on LIHEAP to help them heat their homes.

Once again this year, the President singled out LIHEAP for a tremendous cut—dropping the program to \$1.1 billion. H.R. 5677 slashes

LIHEAP even further, to just \$891 million. Although I am very pleased that the bill denies the President's attempt to again delay LIHEAP funding until the final day of the fiscal year, the total appropriation is still far too low.

As the chairman of the New England congressional energy caucus, I hear often from my colleagues from the New England region about the importance of LIHEAP to their constituents. This money helps struggling families meet a basic human need. And as the Bush recession continues, this cut hurts those now struggling as a result of our weakened economy. In Massachusetts, I understand that 25 percent of LIHEAP benefit applicants last year were first-time applicants. These are people who need this help now, because of the severe financial crisis we all face. Under H.R. 5677, we will not be able to offer any help. Over 21 million families are likely to lose their benefits if this funding level is maintained.

I hope we will be able to find a better solution in conference, Mr. Chairman, and I urge my colleagues who will be conferees on this bill to explore all possible options that might save LIHEAP from this devastating blow.

Mr. PURSELL. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Chairman, I thank the gentleman for yielding this time to me, and I rise to congratulate the gentleman and also the chairman of the subcommittee, the gentleman from Kentucky [Mr. NATCHER], for their fine work on this bill. Mr. Chairman, I am rising, having testified before the subcommittee, in support of title XX. That is the Adolescent/Family Life Program. I am glad to see there is money in the bill for that program. It is a small reduction, but nevertheless it is in there, and I am gratified to see that and hope that this provision will continue to be in the bill after it leaves here in the House of Representatives.

For those who are not familiar with the program, last year the National Commission on Children, which is a bipartisan task force chaired by Senator JAY ROCKEFELLER, issued a report after 2 years of comprehensive field work. The report placed strong emphasis on the importance of family stability and positive values in the lives of children and adolescents. Regarding adolescents, the Commission has recommended that:

A broad array of community-based supports be available to all young people to promote healthy adolescent development and help them avoid high-risk behaviors that jeopardize their futures.

Following that, it said:

We also recommend expansion of the Adolescent/Family Life Program, title XX, which encourages young people to abstain from early sexual activity, in order to prevent pregnancy and sexually transmitted disease.

This is a good program, this is a modest program. We are talking about \$7 million versus what title X gets, which comes at the same problem but from a

different direction and is funded at well over \$100 million.

So this is a very modest program that we should keep in the bill so that we have some beacon here in the Congress that we are going to encourage young people to do the right thing, make the right choices in these difficult times in our society.

Mr. PURSELL. Mr. Chairman, I would like to enter into a colloquy with my chairman, the gentleman from Kentucky [Mr. NATCHER].

Mr. Chairman, the bill provides \$33.6 million for domestic program activities related to international education and the report recognizes that the Secretary has discretion to allocate funds for authorized purposes. The committee stated, however, that the first priority for funding should be the maintenance of existing programs. With regard to the centers for international business education, is it the intent of the committee that the number of new business centers not be further increased?

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

Mr. PURSELL. I yield to the gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. I thank the gentleman for yielding.

Mr. Chairman, the gentleman is correct. The committee has indicated that the competition for additional centers under the bill before us should not be increased without additional funding.

Mr. PURSELL. I thank the Chairman for his comments.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RIDGE].

Mr. RIDGE. Mr. Chairman, I rise today to express my grave concern over the future of the Low Income Home Energy Assistance Program and the disastrous impact that this bill will have on the millions of low-income seniors and families with young children throughout the Nation.

I understand full well that the authors of this measure have been confronted with very, very difficult choices. It is not an easy task in this budget year.

Yet they have chosen not to assist millions of low-income seniors and families with children who are unable to pay their home heating bills and energy bills; I am certain that this House is aware of the impact that this cut in LIHEAP funding will have on their districts. Two hundred eighteen of our colleagues have cosponsored House Concurrent Resolution 282. This resolution clearly states that this body affirms that LIHEAP should be funded at a level greater or equal to last year's level, which was \$1.5 billion. This year we are coming in at less than \$900 million. That is a more than 40 percent reduction in LIHEAP funding for those among us who need it most.

Mr. Chairman, I do understand that cuts must be made in the budget, yet I

do not understand why the low-income energy assistance program must sustain such a large, almost punishing, cut, a punishing cut. The proportion of this cut, in my judgment, is unfair and unreasonable. When the cold of winter is upon us again, it is my hope that your low-income elderly, their families and young families with children, unable to pay their energy bills, will understand the choices you have made. It is a punishing cut, and I regret that this body is making it.

Mr. MURTHA. Mr. Chairman, I wanted to take this opportunity to express my strong support for the Low-Income Heating Energy Assistance Program [LIHEAP].

LIHEAP has a strong history of helping people stay warm during the long winter months. You may recall in December 1989, when we had an unexpected cold streak, the LIHEAP Program helped many families afford the cost of heating their homes.

LIHEAP provides home heating assistance to people receiving public aid, the elderly, and those who are living below the poverty line. This means that our most vulnerable citizens—children, senior citizens, and the ill and disabled—are at risk. For many, the help they receive from LIHEAP means the difference between heating their homes and risking illness or death from exposure to cold.

The low-income, handicapped, and elderly are the least likely to cope with rising energy prices. They lack the discretionary income to invest in weatherizing their homes and other conservation improvements.

The Low-Income Heating Energy Assistance Program serves some of the neediest and most vulnerable citizens. Low-income households would have to devote as much as 15 to 30 percent of their limited incomes to payment of energy costs in the absence of LIHEAP assistance. This is at least three to four times the percentage of income middle-income households have to devote to payment of energy bills.

LIHEAP plays an essential preventative role by enabling low-income households who might otherwise be in danger of losing their essential heat-related services to retain this service, and thereby remain in their homes. Without heat or other basic utility services, it is extremely difficult for young children who are primary beneficiaries of LIHEAP assistance to function effectively in their homes.

LIHEAP continues to provide assistance for families who couldn't afford the high energy costs they face without the aid. We know the ability of the elderly to withstand winter's cold, and of children to study in a conducive environment is directly affected by household temperatures, and this program keeps temperatures reasonable.

In Pennsylvania, LIHEAP provides some 150,000 households with a basic cash grant averaging \$211. It also provides a crisis intervention grant of up to \$300 to some 120,000 households.

Mr. Chairman, for the above mentioned reasons, I respectfully request the LIHEAP Program be funded at last year's \$1.5 billion level. Thank you for your consideration of this request.

Mr. NATCHER. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. I thank the chairman for yielding this time to me.

Mr. Chairman, I rise in support of this bill. It is indeed an honor and a pleasure and a privilege to serve on this subcommittee under Chairman NATCHER's leadership. I also want to say what a pleasure it is to serve with the gentleman from Michigan, CARL PURSELL, and how much I have enjoyed working with him over the years that he has been here.

Mr. Chairman, there are some particular parts of this bill that CARL and I have worked on together, and it has been a pleasure to work with him. Under Chairman NATCHER, we have been able to include in this bill many important provisions relative to minorities, particularly minority health, and certain provisions relative to education.

So it is a good bill, it is indeed an honor to serve under Chairman NATCHER.

Mr. Chairman, I ask all my colleagues to support this legislation.

Mr. Chairman, I rise in support of final passage of H.R. 5677, the fiscal year 1993 Labor-HHS-Education appropriations bill. This was one of the most difficult years our subcommittee has faced in making appropriations for many of our Nation's education, employment, and health and human services programs. Despite the budget constraints we faced, Mr. Chairman, you displayed great skill in crafting a bill which recognizes the prevailing domestic needs which must be addressed, and which allocates funds according to these priorities. You are to be commended for your leadership in bringing this measure to the floor.

I also would like to commend the gentleman from Michigan, CARL PURSELL, the ranking minority member of our subcommittee for the significant contributions he has made to this year's bill, and the many contributions he has made to the subcommittee over the years. CARL has announced his retirement from Congress. His presence and leadership will be missed. I wish him success in all that he may endeavor to do.

As noted previously, the committee drafted H.R. 5677 in the midst of rigid parameters established by the Budget Enforcement Act. Despite the difficulties we faced, this bill provides a balanced approach to supporting many of the domestic programs serving students, the unemployed, the poor, the sick, and the elderly. In general, the bill before us today provides \$240.4 billion for the Departments of Labor, Health and Human Services, Education, and related agencies in fiscal 1993, including \$198.5 billion for HHS, \$28.9 billion for Education, \$11.8 billion for Labor, and \$1.2 billion for 18 related agencies. The bill is \$50 million under the President's budget request for discretionary spending programs, and \$943 million, 1.5 percent, over the fiscal 1992 level for discretionary spending.

Under the bill before us today, there were many programs which did receive significant increases in funding. For instance, the committee was able to provide increases for Job Corps, AIDS treatment and prevention, the National Institutes of Health, Head Start and

many of our Nation's education programs. I am proud to have been able to help secure increased funding for these programs, as well as those programs which improve the quality of life for my constituents as well as persons across the Nation.

Mr. Chairman, there are several programmatic provisions I would like to mention specifically. Under H.R. 5677, in the area of education, the title III undergraduate and graduate programs received \$99 million and \$11.59 million respectively. Language also was provided which urges the Department of Education to give high priority to funding an initiative to expand model programs dedicated to advancing minority Ph.D and faculty development. The special programs for the disadvantaged [TRIO] received \$375.75 million and Howard University would receive \$195.3 million. Language also was included which directs the Department of Education to lend its resources to the development of a program which will help to preserve historical documents located at historically black colleges and universities and land grant institutions.

In the area of health, under the Disadvantaged Minority Health Improvement Act programs, the committee provided \$9 million for Public Housing Health Service grants; \$23.7 million for minority centers of excellence; \$17.3 million for minority scholarships; \$11.1 million for health professions student loans; and \$1.1 million for the faculty loan. Furthermore, the bill provides \$13.7 million for the Office of Minority Health.

For those programs supported by the Centers for Disease Control, the committee provided a \$5 million increase in funds for violence prevention activities in the Office of Injury Control, and \$5 million in funding to restore reductions made in 1992 and to increase 1993 AIDS efforts with national minority organizations and community-based groups. Report language also reflects the need for special initiatives to prepare, recruit, and develop members of underrepresented minority groups for careers in public health prevention programs. In this regard, the committee directs the CDE to prepare a plan to address minority concerns and provide a report to the committee before the fiscal year 1994 hearings.

For the National Institutes of Health, special funding was provided to focus on research on health problems that disproportionately impact minorities and women. Both the Office of Minority Programs and the Office of Women's Health will each receive over \$43 million to support special research in this area.

Unfortunately, despite the enhancement of these many programs, and in light of the budget constraints, the committee was forced to either level fund or cut some programs in order to keep the bill within the ceilings established by the 1990 Budget Enforcement Act. Programs targeted to receive some reductions in fiscal year 1993 include the health professions assistance programs, LIHEAP, refugee assistance, community services block grants and Medicare Program management.

Mr. Chairman, as I said before, you displayed remarkable skill in balancing the many competing interests contained in this bill. We had gut-wrenching decisions to make in drafting this bill. I am proud to stand with you in bringing this measure to the floor. I ask my

colleagues to join me in final passage of H.R. 5677.

Mr. PURSELL. Mr. Chairman, I yield 2 minutes to the distinguished senior member of the Committee on Appropriations, the gentleman from Indiana [Mr. MYERS].

Mr. MYERS of Indiana. Mr. Chairman, I thank my colleague, the gentleman from Michigan, for yielding this time to me and for such nice remarks.

Mr. Chairman, I rise to compliment the gentleman from Kentucky, Chairman NATCHER, with whom I have worked a good many years, as well as the ranking member, the gentleman from Michigan, with whom I have worked, who will be leaving us, an absence we shall certainly all feel.

Mr. Chairman, I compliment the gentleman for a good bill under very difficult conditions.

However, I am a little critical of the fact that you did cut back the NIH budget from what the President requested. Fully recognizing that reductions have to be made across the board, but, as with the previous speaker, here, Mr. RIDGE, LIHEAP is not near as important, as far as I am concerned, as the health of this Nation. It seems to me that people's health is more important than these other programs.

So I wish that you had been able to provide a little more on cancer research, particularly research for breast cancer as well as cervical cancer. These are two areas that are the most rapidly growing diseases in our society, yet to cut back as much as you cut back, it seems to me is not the best. At least I hope that maybe when you go to conference, you can work out better numbers.

These are two areas, the NIH tells me and also the National Cancer Institute tells me, are right on the edge of maybe a breakthrough, probably even a cure for, possibly finding the cause of what is the most rapidly growing disease in our country, cancer. It is not the time to cut back.

But I do compliment the subcommittee. I realize, serving on the Committee on Appropriations, that every one of the subcommittees had to cut back this year from what we would like to have spent, because of the budget restraints that we have. I compliment the Member on a good job. I do hope that they can boost those, just those, just a little bit.

I thank them for the good job they have done in the past and for the continuation of programs so vitally needed for the health of our Nation.

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

The CHAIRMAN. The gentleman from Michigan [Mr. PURSELL] has 1 minute remaining.

Mr. NATCHER. Mr. Chairman, on this side we have no further requests for time, and I yield back the balance of our time.

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

Mr. CLINGER. I rise in support of the bill.

Mr. Chairman, I rise in strong opposition to the committee's reduction of funds for the Low Income Home Energy Assistance Program—better known as LIHEAP. What we see here is a continuous, downward spiral of funding for this crucial program which serves low-income families and the elderly. There are already many needy families who are eligible for the program, but cannot receive assistance. With the proposed committee reduction, many more will be left out in the cold.

As one of many of my colleagues crying out for reductions in the Federal deficit, I can certainly appreciate the difficult choices that must be made. However, I would ask that as we pick and choose priorities, we keep the LIHEAP Program high up on the list. This is one of the few Federal programs that is not wrapped in bureaucratic redtape, but in fact satisfies its intended purposes—to assist the poor and elderly with energy assistance. Since it is a block grant there is minimal Federal administrative overhead, and funds go directly to States who in turn provide them directly to needy recipients.

Let us take a look at the facts. In 1986 Congress appropriated \$2 billion for the program; in 1987 funding was reduced to \$1.8 billion; and in the last few years funding was again reduced and has hovered around \$1.5 billion. This year the President requested funding at slightly less than \$1.1 billion and now the committee has chosen to cut funding for this program below the President's request—down to \$891 million. This is almost \$200 million less than the President requested and a 40-percent decrease from this year's level of funding.

So what kinds of real impacts are we talking about? Over 6 million needy households receive assistance from this program—yet conservatively only 35 percent of those eligible are getting any assistance. This is because there just isn't enough money to go around now. At the proposed fiscal year 1993 level, it is estimated that over 21 million eligible families would not get any assistance.

And who is receiving the funds? This program is targeted toward our neediest citizens—poor families and the elderly. Nearly 60 percent of LIHEAP households have annual incomes under \$6,000 with energy expenditures disproportionately taking 14 percent of their income. In my own State of Pennsylvania, 35 percent are Social Security recipients, 26 percent are public assistance recipients, and 22 percent are the working poor. These are the folks that are just barely getting by.

With our current economic situation, this is not the time to cut funds for those who are most in need. This is a program that works. This is a program that benefits every State. At this funding level, it means more families freezing in the dead of winter and more of our senior citizens having to cope with unbearable heat that endangers their lives. I urge the committee to restore LIHEAP funding.

Mr. McDADDE. Mr. Chairman, my friends, today we consider the 11th regular appropri-

tions bill to come before this body—the fiscal year 1993 Labor, Health and Human Services, and Education, and related agencies appropriations bill—America's bill.

This bill provides appropriations for some of the most popular and most important programs over which this committee has jurisdiction—programs like child care, education for the disadvantaged, job training, student financial assistance, immunizations, Head Start, unemployment insurance, health research, funds to combat the spread and to ease the pain of AIDS, programs for the homeless, Social Security administrative costs, and numerous other low-income poverty programs. We help every American in this bill. This is America's heart and soul; this is America's bill.

The chairman and the ranking Republican, CARL PURSELL, who will be leaving us this year, have done a fantastic job in spite of a very difficult situation. CARL PURSELL came to the Committee on Appropriations in 1979, nearly 14 years ago. Two years ago after the untimely death of our colleague, Silvio Conte, the gentleman from Michigan became the ranking Republican on the subcommittee. A former high school teacher, he brought a special understanding of the needs of our youth to the subcommittee. He has done a fine job, and he leaves the committee and the House this year with an admirable bill, a job well done.

All in all, in the aggregate, total budget authority for labor, health and human services, and education programs considered in this bill is \$240.4 billion, an increase of \$21.2 billion over last year. Of that amount, \$61.6 billion is slated for domestic needs and priorities. Approximately \$3 billion in program increases are offset by approximately \$2 billion of real program reductions. The subcommittee's recommendations are sometimes compatible with the President's proposals, but some are not. In some cases, certain increases proposed by the President which are fully justified had to be scaled back because offsetting reductions at the levels proposed were not supportable. Consequently, the bill before us is a bill that few Members will be totally satisfied.

But let me tell my friends: be happy, and don't look this gift horse in the mouth. As a result of the passage of the urban aid package and negotiations with the leadership on both sides of the aisle and my dear friend and colleague from Pennsylvania, the chairman of the Defense Subcommittee, Mr. MURTHA, this subcommittee got a one-time special deal—a reclassification of \$500 million from domestic to defense. The revised 602(b) allocations that the Committee on Appropriations approved last week reflects this one time deal and permitted the committee to fund some of the very programs that I mentioned earlier at a level that would not have been possible under the earlier allocation. The bill, as the chairman of the subcommittee has said, is a good one, an honest one: no gimmicks, no delayed obligations, no magic tricks or smoke and mirrors. What you see is what you get.

And this bill, as it stands right now, in the end would be acceptable to the administration. I commend it to my colleagues.

Mr. HOYER. Mr. Chairman, I rise in support of H.R. 5677, the Labor, Health, and Human Services, and Education appropriations bill for

fiscal year 1993. I do so even though the investments we make in our country's future in this bill are inadequate for the challenge that confronts us.

This bill was the most difficult this committee has had to face during my tenure. And the committee has done the best that it could in the face of the shortage of resources it had available.

As always, Chairman NATCHER has been a strong advocate on behalf of the education and health of the American people. He continues to be one of the Members of whom this body is most proud.

Bringing this bill to the floor is difficult for the chairman, because I know he is not happy with it. He knows it is underfunded.

The National Institutes of Health is lower than the budget request, as is maternal and child health, as is health care for the homeless, as is refugee assistance, chapter 1, and dozens of other important and effective programs.

But this subcommittee, under the chairman's able leadership, bit the bullet.

Look at this bill, and every person in this Chamber can see what it really means to make choices.

There is some good news. Too little of it, but there is good news.

The bill provides about a 30-percent increase over fiscal year 1992 for ovarian, breast, cervical, and prostate cancer.

The bill provides \$346 million, an increase of \$49 million over last year for childhood immunization.

The bill provides \$2.73 billion for Head Start—approximately the level of funding required to provide services to most eligible 4-year-olds, and \$519 million more than last year.

The bill provides \$105 million for tuberculosis control, \$59 million more than last year and \$39 million over the President's request.

The bill includes \$327 million for the Ryan White AIDS Care Program. Ryan White helps fill the void for the over 200,000 Americans who are infected with the disease, and is an example of why we need universal health care insurance. This bill includes \$50 million more than fiscal year 1992.

The Job Corps includes \$30 million for additional Job Corps centers.

And finally, there is approximately \$25 million over and above the \$273 million included in this bill last year and requested by the President, for foster care services.

These last two items deserve special mention.

The Job Corps is one of those antipoverty programs, 27 years old, that was born decades ago when this Nation made a single-minded commitment to providing a hand up, not a hand out to those so low on the economic ladder that they could never hope to reach the bottom rung and begin pulling themselves out of poverty.

The Job Corps takes poor, jobless, high school dropouts and places them in a residential setting away from the environment that compounds their many disadvantages, provides academic, vocational, and life skills training, and ultimately and for once in these young people's lives, gives them a vision of the possible.

The young people this program serves are critically important to our future success.

Mr. Chairman, on a bill that annually confronts us with tough decisions, and in a year of extraordinarily difficult choices, expanding Job Corps is the right thing to do.

The other program I want to highlight, Mr. Chairman, is title IV-B, the Federal program that funds foster care services.

This money helps State public welfare agencies improve services with the goal of keeping families together, and this bill contains the only significant increase in funding for these services in 3 years.

Mr. Chairman, family values is a popular hot button for politicians this year.

Chairman NATCHER writes to his grandchildren every day. Judy is the most beautiful word in the language because it is by that name that I call my wife and my grandchild.

Each of us believes in family, Mr. Chairman. But this bill contains the evidence that we also, and as importantly, value families.

Title IV-B is flexible, allowing agencies to bundle appropriate services, including preventive intervention and alternate placement like foster care and adoption, to protect children first and to preserve families as well.

Mr. Chairman, 500,000 women of child bearing age use cocaine on a regular basis in this country; 550,000 to 740,000 drug-exposed infants are born each year; 2.7 million children are reported abused and neglected—a 125 percent increase since 1980; 1,400 children died from abuse or neglect in 1990, a 54-percent increase in the last 6 years.

These are our children, Mr. Chairman.

These are the 2- and 3-year-olds who may never survive to enroll in Head Start.

Mr. Chairman, in a year when few of the choices in this bill provide happy alternatives, providing an increase for title IV-B was also, the right thing to do.

Mr. Chairman, let me once again congratulate Chairman NATCHER, and my colleagues on the subcommittee for the months of hard work on this bill.

There are no games, gimmicks, or boondoggles in this bill, only tough choices, and every Member can be proud to vote to support it.

Mr. ROSTENKOWSKI. Mr. Chairman, the Low-Income Home Energy Assistance Program provides critical assistance to the poor, elderly, and disabled residents throughout our Nation. It is an alarming fact that due to severe budgetary constraints, the funding level for this vital program has been drastically cut by more than 40 percent—down to \$891 million for fiscal year 1993.

The impact of this proposed cut has a devastating impact on low-income families in Chicago and throughout the United States. In fiscal year 1992, the city of Chicago received \$24 million in low-income home energy assistance; for fiscal year 1993, the city is projected to receive a meager \$19.6 million. Last year, because of inadequate funding, the city was forced to turn away approximately half of its eligible households. Continued reductions in this program will hit those who can afford it least, and force many low-income, elderly, and disabled residents in Chicago to choose between essential energy services and other necessities.

While I understand the constraints the committee faced in setting priorities among a large number of worthy programs, I urge the conferees on this bill to seek increased funding for this important program. Low-income home energy assistance is an invaluable program and I hope that the conferees will do everything possible to see that adequate funding for this program is restored.

Mr. FAZIO. Mr. Chairman, I rise in strong support of H.R. 5677, the Labor, Health and Human Services, Education, and related agencies appropriations bill for fiscal year 1993.

Each year, we applaud Chairman NATCHER and the members and staff of the subcommittee for their work in drafting this legislation and bringing it to the floor. However, the chairman and his team deserve special acclaim for their work during this appropriations cycle.

The task before the subcommittee this year was perhaps the most challenging it has ever faced. To begin with, the subcommittee—as always—has a very small pot of money to work with. This is because 74 percent of the funds in their budget are for entitlement programs, like unemployment compensation, Social Security, and Medicare—for money that is automatically spent, and over which the subcommittee has no control. The remaining 26 percent is discretionary funding—the money that must be divided up among the programs that are so critical to us, especially now.

Second, the spending caps that were set in place by the 1990 Budget Enforcement Act greatly restricted the use of what little discretionary funds the subcommittee had to work with—it had 2 percent less this year than it had last year. In other words, last year's expenses had to be reduced by 2 percent in order to fall within the limitations of the budget.

In spite of the above, the subcommittee managed to set priorities and make hard choices. The result is a bill that continues to fund a lot of good programs, as well as to meet new needs. H.R. 5677 does not drive us deeper into debt, but helps us meet our goal of living within our means.

The funds in H.R. 5677 are used to minimize the effect that our economy has on workers, like those Californians who are dislocated by our declining defense industry. H.R. 5677 provides temporarily unemployed workers with both income and job search assistance, and supports job training and summer youth employment, as well as part-time community-based jobs for low-income senior citizens, and employment and training programs for veterans.

H.R. 5677 funds health research, this year placing a very high priority on women's health, in particular breast, cervical, and ovarian cancers. It supports community health centers and educational programs for health care professionals. The Centers for Disease Control, which insures that serious problems—like those related to the spread of AIDS, sexually transmitted diseases and tuberculosis—can be addressed, is funded by this bill.

Child care programs, child support enforcement programs, Head Start, foster care and adoption assistance support services, nutrition services for our elderly citizens—all these key support systems are dependent upon the funding in H.R. 5677.

The bill manages to delicately balance the different, overwhelming needs it must meet. Programs that have not yet been authorized for the upcoming year—like those in the Older Americans Act—are funded at last year's levels. Funding for the farmworker safety program—which supports the Center for Agricultural Disease and Injury Research and Education at the University of California, Davis and which the President had completely eliminated—is restored.

Most noteworthy is the grant for which the cancer center at the University of California, Davis and Lawrence Berkeley Laboratory were just selected. The grant will fund startup construction for a state-of-the-art cancer treatment center. The funding for this grant—which was only awarded to one other location in the country—is in H.R. 5677.

It is obvious that, without H.R. 5677, we would not be able to fund the essential programs that support our basic needs. A vote for the health, education, nutrition, and employment programs in H.R. 5677 is a vote for us all. America's families, workers, children, elderly, and veterans are dependent upon the programs and services that H.R. 5677 sustains and provides. I urge my colleagues on both sides of the aisle to support funding of basic benefits and services for all Americans.

Mr. FORD of Michigan. Mr. Chairman, I rise in support of H.R. 5677, Labor-HHS-Education appropriations for fiscal year 1993. I applaud Chairman NATCHER for making the best of a bad situation. This bill is not everything I would have hoped for but it does put people first in dividing up scarce resources. The committee bill makes the hard choices and avoids using budget gimmicks and accounting tricks proposed by the administration.

I want to take this opportunity to express my appreciation to Chairman NATCHER and his committee for several specific items which the committee, in its wisdom, has included in the bill.

The Labor-HHS appropriation includes a \$30 million increase over 1992 for tech-prep education, a program which I authored to better train our young people. Tech-prep links the last 2 years of high school vocational education with 2 years of additional vocational education after high school in community colleges.

The Labor-HHS appropriation includes an increase of \$28 million over the President's budget request for dislocated worker assistance under title III of the Job Training Partnership Act. Our ability to provide services and quality training to dislocated workers in a timely manner is critical for the thousands of American workers who find themselves out of work each month.

The Labor-HHS appropriation includes an \$80 million increase over the President's request for Job Corps, a level which will permit us to continue the 50-50 program by funding five new centers in fiscal year 1993.

I also want to thank Chairman NATCHER for his foresight in continuing funding for the mass layoff statistics program within the Bureau of Labor Statistics. The \$5.9 million included in this bill will enable us to respond to the needs of workers affected by plant closings in the Nation's most critical industries.

I find it frustrating to have to consider today a bill which forces us to shortchange some of

our most effective programs. I find it frustrating to let artificial budget walls deny us the use of the peace dividend to renew our commitment to the American people. But, I find it most frustrating that, when the administration found it in their interests, the walls magically came down.

Chairman NATCHER, you have my pledge for continued support as we begin a new agenda which answers our children's call for learning, our workers' call for training, and our Nation's call for leadership.

Mrs. LLOYD. Mr. Chairman, I rise today in support for the passage of H.R. 5677, the Labor-HHS appropriations for 1993, and urge my colleagues to pass this important bill.

Although strict financial constraints resulted in overall reduced spending, I am pleased to see that urgently needed research for women's health maintained a high priority. This bill will allow proper funding for the women's health initiative, a long overdue, comprehensive research program to examine major causes of disease and disability in midlife and elderly women.

I am also pleased to see that priority was given to breast cancer, prostate cancer, cervical and ovarian cancer, all of which received at least one-third increases over 1992 levels. Sadly, this weekend, I attended the funeral of a former staff member of mine in Chattanooga, Becky Wells, who died from ovarian cancer last Friday. Becky was a good friend and trusted staff member who will be missed by all who knew and loved her. We desperately need the research priority reflected in this bill to prevent this loss of life and human potential taken by cancers we do not understand and cannot cure.

Vote yes on the Labor-HHS bill today.

Mr. STUDDS. Mr. Chairman, we've just passed through the stifling summer heat coming from the air-conditioned comfort of our offices to the carefully controlled climate of this Chamber. And it is, undoubtedly, difficult for many of us to fully appreciate the implications of the drastic cuts to the Low Income Home Energy Assistance Program proposed in this bill.

But the men and women who administer the fuel assistance programs in Plymouth, Quincy, and Brockton, MA, know just how painful these cuts will be. Before you cast your vote, let me share with you stories I've heard about the people in my district impacted by the LIHEAP Program. Rick Hinckley of the South Shore Community Action Council told me of the senior citizens on Cape Code whose utility bills in the winter months exceed their monthly incomes. Pat MacNeil of the Quincy Community Action Program told me of the widowed mother and her grown daughter disabled by multiple sclerosis struggling to make ends meet on their limited income. Judy Fitzsimmons of the Brockton Fuel Assistance Program told me about the proud parents who have lost their jobs, exhausted their savings, and are unable to heat their homes.

Last winter—a mild winter by New England standards—more than 25,000 homes in south-eastern Massachusetts received LIHEAP funds. As we ride out this painful recession in the Northeast, the numbers of needy continue to rise and the funds continue to be cut. This cannot and should not continue. We should

not force families to choose between paying the grocery bill or paying the gas bill. We should not force senior citizens to choose between refilling a prescription or filling their oil tank.

This is what will happen under this budget and that is wrong.

This is about the right to be warm. I ask my colleagues to ignore the heat outside and understand that without an increase in the appropriation for LIHEAP under this bill, a great many families in Massachusetts and across the country will not be warm this winter.

Mr. PICKLE. Mr. Chairman, I rise in support of H.R. 5677. It has been a difficult year for many of the programs under discussion here and I want you to know that there are two programs that I am especially happy to see included in this bill.

The first is funding for the Nation's Job Corps programs. There is a major Job Corps center in my district in Texas and I have personally seen the good that has come from it. The funding level in this bill is expected to support over 42,000 Job Corps slots—that is over 42,000 young people who will be given a chance to better themselves and learn a marketable skill. As a long-time supporter of the Job Corps, I appreciate the committee's recognition of this important program.

Second, I commend the committee for including adequate funding for the Impact Aid Program even though the President proposed cutting it. Impact aid is designed to help pay for the basic essentials needed to run a school system that is being adversely affected by Federal action. This program will be particularly important next year because of the military base closings that will be affecting many communities. I am particularly concerned about the school district that serves the Bergstrom Air Force Base near Austin, TX. Bergstrom is scheduled to be closed in 1993 and the city of Austin has plans to build a commercial airport at the site. Without the help of impact aid, the school district serving that area could be left in the lurch between the time the base closes and the time that the city takes over the facility. I again, commend the committee for its foresight in including funding for this valuable program.

I urge my colleagues to support this well-crafted bill.

Mr. WEBER. Mr. Chairman, I rise in strong support of H.R. 5677, the Labor-Health and Human Services-Education appropriations bill for fiscal year 1993. In a year when spending caps have forced cuts in some important programs, the chairman of our subcommittee has again produced an outstanding bill that responds to our country's most pressing needs.

This is my last year on the subcommittee, and I want to begin by expressing my appreciation to our chairman. I first joined this subcommittee in 1987, and it has been a great privilege to serve with Chairman NATCHER these past 6 years. This year's bill is another example of his leadership. He has brought us an honest bill—there is not one delayed obligation. He has worked with all the members of the subcommittee in an atmosphere of cooperation and bipartisanship. And, in a year of strongly competing demands, he has reported out a bill that funds our most critical needs and invests in our country's future.

It has also been a pleasure to work with the ranking member of our subcommittee, my friend from Michigan CARL PURSELL. Congressman PURSELL has had a major impact through his work on this subcommittee, and I know he will be missed in the next Congress.

The Committee faced difficult choices this year, with spending caps that allowed a 1.5-percent increase in budget authority—half the rate of inflation. In addition, those caps required a net reduction of 2 percent in new budget outlays for 1993. Rather than meeting these targets through across-the-board reductions, the committee set priorities and offset funding increases with approximately \$2 billion in real program reductions.

This bill once again funds Secretary Sullivan's healthy start initiative, which attacks the serious problem of infant mortality in our inner city and rural areas. It increases funding for Head Start by almost \$600 million, a dramatic achievement. It includes a strong funding increase for the National Institutes of Health, where some of the most important medical research in the world is taking place.

This bill restores funding that the President's budget eliminated in a number of critical areas. One of the major concerns of rural Americans is continued access to quality health care. This bill funds the health professions education programs to combat the shortage in rural areas of professionals like physicians, nurses, physician assistants, and allied health professionals. It also restores funding for the Rural Health Care Transition Grant Program, which awards grants to enable rural hospitals to remain viable in a changing environment.

Once again, this bill provides almost \$28 million for the Coleman fellowships, which furnish assistance to graduate students in the sciences and math. This aid will help train qualified students who are planning careers in research and education.

I'm especially pleased that this bill also contains \$5 million for family resource centers, which were authorized in the Family Resource and Support Act of 1990. These centers will integrate existing programs and services to serve at-risk families. It is a prevention program that will focus on self-sufficiency and be built on local planning, parental involvement, and public-private funding partnerships. States like Minnesota are leaders in this area, and it's my hope that this year's minimal funding will begin an experiment to prove the promise of this proposal.

Not all programs received complete or even adequate funding. I have been a consistent supporter of the Low Income Home Energy Assistance Program, and I regret the cut of almost 40 percent that this program sustained. In addition, refugee assistance was cut by close to \$90 million, at a time when the added influx of refugees has put an increased burden on State and local governments. Other important programs have also been cut or held to level funding at a time when they are shouldering increased demands.

Despite these difficulties, this bill makes wise investments in our country's future, and I strongly support its passage.

Mr. ROEMER. Mr. Chairman, today, as we consider H.R. 5677, the Labor-Health and Human Services, and Education and related

agencies appropriation bill for fiscal year 1993, I recognize and appreciate the difficult choices that the committee faced in allocating funds among the various worthwhile, effective programs encompassed in this bill.

While I applaud many of the committee's recommendations in the bill, and commend Chairman NATCHER for his leadership, I am disappointed by the committee's recommendation for the Pell Grant Program.

The Pell grant is the largest Federal needs based student aid program and is viewed as the true foundation for student financial assistance. The purpose of the program is to help undergraduate students from low-income families finance their postsecondary education.

Mr. Chairman, my colleagues and I on the Education and Labor Committee just concluded 18 months of work on a bill to reauthorize the Higher Education Act of 1965. One of our primary goals was to increase financial aid, both in terms of grants and loans, for low and middle income working families. This legislation raised the Pell grant maximum from the current level of \$2,400 to \$3,700 for the 1993-94 school year and to \$4,500 in 1997 to help families defray the soaring costs of education which have risen much faster than family incomes.

It is unfortunate that because of budgetary concerns, the committee was unable to ensure funding of the authorized Pell Grant Program. In addition, it is particularly distressing that because the administration incorrectly estimated the total number of students receiving Pell grants, we are facing a shortfall of more than \$1.4 billion in the program. In these difficult economic times, families need and rely on the assistance provided by the Pell grant in order to realize their dreams of sending their children to college.

Later this week, the House will consider funding for the space station. It seems to me that a more intelligent and worthy use of this money would be funding the increase in the Pell grant program which is encompassed in the Higher Education Act of 1992. In the current climate of budget constraints, the benefits derived from increasing the Pell grant awards far outweigh the benefits and merits of funding the space station.

Mr. SWETT. Mr. Chairman, today the House will consider the Labor, HHS, and Education appropriations bill for fiscal year 1993. I rise to express my deep dismay at the bill's drastic cut in funding for a vital program, the Low Income Home Energy Assistance Program—better known as LIHEAP.

This year's appropriation provides for LIHEAP to be funded at only \$891 million—a cut of 41 percent. This cut will have a catastrophic effect on people in New Hampshire and around the country who depend upon LIHEAP to keep their homes heated during harsh winter months.

This drastic cut will mean meals will be skipped, phones will be disconnected to save money, some homes will go without heat entirely. Anyone who has lived in the Northeast knows that a horrific prospect it is to face winter without heat.

Mr. Chairman, in the middle of winter, people should not have to choose between enduring freezing temperatures or going hungry. Many LIHEAP recipients simply could not sur-

vive winter without fuel assistance. A majority of LIHEAP households have annual incomes under \$6,000. Many LIHEAP recipients are elderly. In New Hampshire, elderly people make up nearly a third of LIHEAP recipients. These people live almost exclusively from Social Security checks. The amount of money they receive is simply not enough to afford food, shelter, and heating fuel.

Mr. Chairman, New Hampshire, like many places around the country, is in the throes of a serious recession, with tens of thousands of people unemployed. In my district, the number of people living at or below the poverty level has recently increased by 20 percent. Last winter, despite the fact that eligibility requirements were stiffened, the demand for LIHEAP assistance increased by 25 percent. This winter, as the impact of the recession cuts deeper and deeper, more and more households will be in desperate need of LIHEAP assistance.

Mr. Chairman, I strongly urge the conferees to increase funding for LIHEAP when the bill goes to conference. At the current levels, too many people will suffer too much. LIHEAP is not a frill or a luxury; LIHEAP is about helping people to meet basic human needs.

Mrs. MINK. Mr. Chairman, I rise today in strong support of H.R. 5677, the Labor, Health and Human Services, and Education appropriations bill for fiscal year 1993.

At a time when our country faces the most challenging domestic problems in the last 50 years the enactment of H.R. 5677 is essential. H.R. 5677 and the problems funded by this bill represent hope for many families and individuals across this Nation—hope that they will be able to find jobs, educate their children, and received adequate health care.

With limited resources the Appropriations Committee has allocated our precious Federal dollars into programs that have successfully derailed the poverty cycle, including \$2.7 billion for Head Start, \$6.7 billion for chapter 1, and almost \$1 billion for the Job Corps Program.

This bill also represents hope to millions of women who have been afflicted by ovarian and breast cancer, and other diseases that affect only women. Neglected by the Federal Government and medical establishment for over a century, women's health research is finally on its way to being adequately funded. H.R. 5677 gives women's health the highest priority and provides \$43 million for the women's health initiative and \$10 million for the operations of the Office of Women's Health Research at the National Institutes of Health.

H.R. 5677 also directs the National Cancer Institute to increase spending on ovarian and breast cancer research by no less than one-third above fiscal year 1992 levels. This means that in fiscal year 1993 the National Cancer Institute will be required to spend at least \$26.4 million in ovarian cancer research, based on current 1992 spending estimates by the NCI.

This is tremendous progress in the area of ovarian cancer research, where just 3 years ago the NCI was spending a mere \$9 million. This dramatic increase in funding is desperately needed in our search to find an early detection test to raise the dismal mortality rates for women diagnosed with this disease.

Mr. Chairman, I want to express my appreciation for Chairman NATCHER and the Appro-

ropriations Committee and their work over the last 2 years to make women's health a national priority. It is only through their assistance and vigilance on this issue that we have been able to make significant gains in women's health funding, which will help keep the women alive and healthy.

I recognize the difficult task that the Appropriations Committee faced in trying to adequately fund numerous worthwhile programs with such limited funds this year. However, I do want to express my concern about the Pell grant award level set by the Committee, which is \$100 less than the level of fiscal year 1992. In addition to the lower award level this bill gives the Secretary of Education the authority to drop the award level even further to \$1,900, \$500 less than the current Pell grant award. In a time of increasing college costs, we must make every effort to assist needy students in attending post-secondary education.

Earlier this month we passed a comprehensive Higher Education Act which holds the promise of post-secondary education for million of students, young and old, across the Nation. And it is imperative that we uphold the promise of the Higher Education Act amendments by providing the necessary funds to expand the Pell grant program to more needy and middle-class families.

I sincerely hope that as we continue through the appropriations process we can work together to assure that Pell grant awards for fiscal year 1993 will be significantly increased to allow the students of our country to fulfill their highest educational goals.

Mr. BORSKI. Mr. Chairman, I believe there is much to support in H.R. 5677, the Labor-HHS-Education appropriations for fiscal year 1993.

In these tight budget times, we have to recognize our priorities. I think that the Appropriations Committee does a good job of that.

I am pleased that this subcommittee, ably led by Chairman NATCHER and ranking member Mr. PURSELL, have increased the funding for employment and training in the Labor Department. These funds will lead to more jobs in a recession.

I am also happy that the Department of Health and Human Services will receive increased funding, for such vital programs as the Centers for Disease Control, Medicaid grants to States and supplemental security income.

And I'm delighted that there are increases in Department of Education programs like special education and guaranteed student loans. That is all very good.

However, I am disappointed that the subcommittee has decided not to provide full funding for the Low-Income Home Energy Assistance Program [LIHEAP]. True, LIHEAP has been funded to the tune of \$1.5 billion for fiscal year 1993. That is about \$300 million less than the total that is available in this fiscal year.

And the 1993 funding is structured so that much of it will not, cannot be used.

H.R. 5677 appropriates \$891 million in non-emergency funding. The bill also provides an additional \$600 million in emergency funds. That is an increase of \$300 million over this year's emergency funding. But that emergency money was never used.

The President has to designate an energy emergency before the emergency LIHEAP money can be used. The President did not declare an energy emergency for 1992 and the \$300 million was not used. It's unlikely that President Bush will declare an emergency in 1993, so the \$600 million won't be available either.

I believe we need to fully fund LIHEAP at no less than \$1.6 billion, with no emergency restrictions. This program is too important to be playing budget games.

In the past year, my hometown of Philadelphia received over \$23 million in LIHEAP funding for some 116 recipients. With the funding proposed in this bill, 46,000 Philadelphia residents will lose over \$9 million in energy assistance.

We are talking about one of the basics of survival. For many, LIHEAP funding means the difference between heat and no heat. And heat in the winter can mean the difference between life and death.

The current recession puts even more people at risk. Without jobs, without income, money can only go so far. People count on the safety net that programs like LIHEAP can provide. We should not cut LIHEAP when people need it most.

Mr. Chairman, I wish there was more money in this bill for LIHEAP. But wishing will not make it so. I hope that the Senate will add additional money for LIHEAP and I will support any effort to increase LIHEAP funding for 1993. I urge my colleagues to do likewise.

Mr. BEREUTER. Mr. Chairman, this Member is pleased to have the opportunity to express his support for the Labor, Health and Human Services, and Education appropriations legislation. This Member would like to thank the chairman of the subcommittee, the distinguished gentleman from Kentucky [Mr. NATCHER] and the ranking member, the distinguished gentleman from Michigan [Mr. PURSELL] for their careful consideration of several requests.

The HHS appropriations bill is the second largest appropriations bill considered by Congress and includes a majority of the human resource programs in the Federal Government. Indeed, it has been said that every man, woman and child in the United States is helped by the programs funded by this appropriations bill.

As a founding member of the Rural Health Care Coalition, a bipartisan group of 175 Members of Congress, this Member is concerned about several rural health programs that are of critical importance to Nebraska.

One of the most successful programs in rural Nebraska is the Rural Health Care Transition Grant Program. Since 1989, 28 rural Nebraska hospitals have received 3 year rural transition grants. These grants have been used to recruit health professionals, enhance outpatient and emergency services, add mammography service and satellite clinics. This program is having a positive impact in Nebraska by helping hospitals and communities to plan and implement projects in order to strengthen the capabilities to provide high quality care to Medicare beneficiaries. This beneficial program was funded at \$14 million.

The Nebraska Office of Rural Health is very excited about the possibilities of the Rural

Health Outreach Grant Program. These grants can be used in a variety of ways that enable communities and hospitals to work together to expand and enhance the availability of essential health services in rural areas. This Member is pleased that the committee funded this worthwhile program at \$20,963,000. Another grant that has been very helpful to Nebraska is the State offices of Rural Health Grant Program. This program supports the operation of State offices of rural health. The Nebraska Offices of Rural Health plays a crucial role in working to assist communities, hospitals, clinics, physicians and other health professionals to provide access to health care for Nebraskans in rural areas. The committee provided \$3,920,000 for the office of rural health policy. This office provides funds to the State offices of rural health.

In addition, another priority of the Rural Health Care Coalition is funding for area health education centers. This program also received funding under this bill.

The greatest rural health care concern in Nebraska is the shortage of physicians and other health professionals. The National Health Service Corps and other programs that provide incentives for health professionals and physicians to serve in rural areas are greatly needed. This Member is pleased to see the funds provided for the National Health Service Corps, \$43,065,000 for field placement activities and \$58 million for loans and scholarships. In addition there are several other incentive programs to increase the number of medical students choosing family medicine as a specialty. There are also several programs funded to increase the number of allied health professionals in rural areas.

Mr. Chairman, this Member understands the budgetary constraints that the committee had to consider. These are difficult times and there are limited funds; therefore, many programs did not receive full funding. However, in light of budget considerations, this Member is pleased to see these various mentioned programs continue to receive even limited funding. These rural health programs have been very beneficial to not only Nebraskans, but to people throughout rural areas. I urge support of H.R. 5677.

Mr. GEJDENSON. Mr. Chairman, I rise today to express my grave concerns about the funding levels proposed in this bill, H.R. 5677, for the Low Income Home Energy Assistance Program [LIHEAP].

Over the years, President Bush, and before him, President Reagan proposed to slash funding for the Low Income Home Energy Assistance Program. However Congress has restored an adequate level of funding for this crucial safety net program.

As my colleagues know, LIHEAP provides basic and vital assistance to those in desperate need and are in danger of freezing during the harsh New England winters.

Last year the caseload for the Aid to Families With Dependent Children [AFDC] Program increased nationwide by 24 percent and over three million households receive food stamps who did not qualify before. All these people have become eligible for the LIHEAP Program, yet under this bill, more than 21 million people will not be able to receive assistance.

Mr. Chairman, the people of Connecticut currently face a deep recession due to cut-

backs in defense spending. With an increase in unemployment and an increase in demand for LIHEAP funds, we cannot afford another LIHEAP cut. Several years ago, Connecticut was able to absorb some of these cuts by using resources from the oil overcharge fund. Unfortunately, that money is gone. This bill means that poor people in Connecticut and other frigid areas will literally be out in the cold. This level of funding will force needy people to make a basic decision as to whether they should eat or whether they should have heat.

Last year, Connecticut's funding through this program was reduced to \$30.9 million, a deep cut in light of the state of our economy, but we were lucky. A mild winter meant that we were not completely devastated by the cuts and social service agencies were able to scrape by. Still they were forced to reduce the number of clients that could be served and had to reduce the level of benefits to others. But this bill's cut could be devastating even if we are lucky enough to have another mild winter. This bill would mean a \$12 million reduction for Connecticut's needy. This 41 percent cut will cripple this program in eastern Connecticut.

Mr. Chairman, perhaps there is some misunderstanding about this program, about who benefits and where the funds go. Let me try to clear this up for some. First, 60 percent of LIHEAP recipients have annual incomes of less than \$6,000. We are not talking about a subsidy or providing benefits for the rich or even the middle class. We are talking here about cutting funding for the most basic of human needs for poor, working poor and for low income people.

Second, for LIHEAP recipients, home energy costs average more than 14 percent of their income, while for the average American it is only 3 percent. LIHEAP only covers a small part of the home energy bills of eligible recipients. In 1990, LIHEAP accounted for only 20 percent of recipients' residential energy bills.

Finally, Mr. Chairman, nearly all of the funds that we provide to the social service agencies through the LIHEAP Program go directly to needy people, since administrative costs are statutorily capped at 10 percent.

Mr. Chairman, LIHEAP is a vital program addressing one of the most basic requirements of the neediest Americans. In eastern Connecticut we have been fortunate over the past several years. Despite the cuts in funding, a combination of mild winters and the collaboration among municipal governments, foundations and the network of nonprofit organizations including the United Way, the local FEMA board, and the regional cap agencies like the Thames Valley Council for Community Action, which serves southeastern Connecticut have been able to pool their resources and work together to ensure that families in need were provided with some level of service. But under this bill, they could not continue to do that.

In conclusion, Mr. Chairman, while I understand the budget constraints that we are facing in this country, we must make tough economic choices. But we cannot force the neediest people in this country to make a choice between feeding their children and providing heat for their families.

Mr. HAYES of Illinois. Mr. Chairman, I rise today on behalf of the forgotten America. I speak for parents who are unemployed, and for the senior citizens who can't make ends meet, I speak for those Americans who have no voice. I rise to protest the appalling cuts in the Low Income Home Energy Assistance Program the Labor, Health and Human Services appropriations bill would impose. In Chicago last year of the 650,000 households eligible for LIHEAP funding, only 248,000 households received assistance. At the proposed level of funding for fiscal year 1993, hundreds of thousands more will be forced to choose between essential energy services and other necessities like food. The proposed cuts in LIHEAP funding translate into approximately a 40 percent reduction in funds.

Moreover, because of the elimination of the State of Illinois' energy assistance program, need in the great state of Illinois will be even more tremendous this winter. While I know that we are living in fiscally critical times, the Low Income Home Energy Assistance Program is the only source of heating for many families during the often harsh winter.

I am a cosponsor of House Concurrent Resolution 282 which expresses the sense of Congress that the Low Income Home Energy Assistance Program should be funded for fiscal year 1993 at a level greater than or equal to its funding for fiscal year 1992. I know the agony of having to choose between paying your energy bill and eating. In a country as rich as ours no one should be forced to make that choice.

Mr. LIGHTFOOT. Mr. Chairman, I rise in support of H.R. 5677, the Labor, Health and Human Services, and Education appropriations for fiscal year 1993.

I would like to commend the gentleman from Kentucky [Mr. NATCHER] and the gentleman from Michigan [Mr. PURSELL], for crafting a tough but fair piece of legislation. I know this will be Mr. PURSELL's last Labor, HHS bill and I know how much the committee will miss his leadership on this bill.

This year's Labor, HHS bill is important more for what it does not do. I know there is not enough money for all the worthy programs under its jurisdiction. I am concerned the State block grant program's for pregnant women and infants are below last year's level and that we could not meet the President's request to fully fund Head Start.

But I am pleased the committee did not use accounting gimmicks to make funding levels look artificially larger than they are. This House has set spending levels, and this bill reflects tough choices.

If we are ever going to control spending and reduce the debt that is slowly strangling this Nation we have to make the tough choices reflected in this bill.

Even under tough budgetary circumstances, I am pleased we are able to provide funding for two new Job Corps centers and that research for breast, cervical, and ovarian cancer will increase by no less than one-third over last year's funding level.

Again, I commend Mr. NATCHER, Mr. PURSELL and all the members of the subcommittee for making those tough choices. I urge my colleagues to support this bill.

Mr. REED. Mr. Chairman, the legislation we are considering today would reduce funding

for the Low Income Home Energy Assistance Program by 41 percent—a devastating cut even if it wasn't coming on top of last year's funding cuts.

But it is.

And when we consider today's legislation, we should bear in mind the cuts that have taken place in previous years and the fact that through the use of delayed spending, we have left States holding the bill for this critical program.

The legislation we are considering today will provide only \$891 million for the LIHEAP program for fiscal year 1992.

An additional \$600 million could be spent if the President were to declare an emergency but last year's emergency money remains unspent and OMB has declared that these funds will go unused as well.

In these difficult budget times we have to make tough choices but it seems to me that choosing to cut LIHEAP while it may be a tough choice, is not a good choice.

Unfortunately, due to the recession, more people than ever need the LIHEAP program. And at the same time, we are drastically reducing the programs's resources.

Make no mistake. In my home State of Rhode Island this program is not a help, it's a necessity.

The repercussions of the decisions we make today, in the heat of the Washington summer, will be felt throughout the freezing cold of the winter of 1993.

I urge all of my colleagues to think today about that cold winter chill that you feel as you go from car to home and imagine what it would be like if, when you entered your home, you weren't able to leave that cold winter air outside.

Ms. SNOWE. Mr. Chairman, I cannot understand how this body goes about the business of prioritizing what it spends its scarce dollars on. One would expect that programs which provide basic subsistence to the poor and elderly in this country would be last on the list of cuts. But a quick review of funding for the Low Income Home Energy Assistance Program shows that we have badly skewed our priorities.

In fiscal year 1985, funding for LIHEAP was \$2.1 billion. Since then it has declined dramatically to \$1.5 billion in fiscal year 1992. In the bill before us for 1993, LIHEAP receives yet another major cut down to \$891 million. This cut is simply inexplicable. Nearly 60 percent of LIHEAP recipient households have annual incomes under \$6,000 per year—well below the poverty line. Home energy expenditures for the poor average 14 percent of their entire income, while the rest of us pay roughly 3 percent, meaning that increases in the energy bill for the poor come at the expense of other necessities.

LIHEAP is one of the most inadequately funded programs in the Federal budget. According to the Department of Health and Human Services, average LIHEAP benefits covered only 23 percent of the average recipient's residential energy bill in fiscal year 1986, and only 20 percent in fiscal year 1990. Millions of people who are eligible for LIHEAP assistance receive no benefits because the program lacks the funds for them. At the level proposed in H.R. 5677, more than 21 million

low-income families eligible for LIHEAP will not get assistance.

Mr. Chairman, I understand well the implications of soaring Federal deficits on all worthy programs in the Federal budget. And I understand the need to cut many of these programs to bring our fiscal house in order. But LIHEAP has already endured its share of cuts over the past 7 years. It is time to restore some balance to this program.

Members from New England, Pennsylvania, and other cold-weather States have also been working to stop cuts in LIHEAP, and we will continue our efforts this year in conference and in next year's bill. I sincerely hope that in future actions on appropriations for LIHEAP, my colleagues from other regions of the country will join me and these other Members in support of reasonable appropriations for this essential program.

Mr. MARTINEZ. Mr. Chairman, I come before you today as the chairman of the House Education and Labor Committee Subcommittee on Human Resources, to ask that the House restore the funding to the appropriations of the Low Income Home Energy Program [LIHEAP] for fiscal year 1993.

Last year when I testified regarding the appropriations for Health and Human Services programs such as LIHEAP, I mentioned that even though our country and our Government was resting on the laurels of winning the Persian Gulf war, that we couldn't turn our backs on our domestic programming. This year, we have no laurels to rest on. This year, we go through the appropriation process in the wake of riots in Los Angeles and throughout the country. Riots resulting not only from the Rodney King verdict, but also from the poor conditions and economic environment in our cities. This year, more than any other year in our recent past, we cannot turn our back on social programs like LIHEAP. We cannot ignore the unrest and poor conditions for our low-income constituents. We cannot cut funding for vital programs, when they are so desperately needed by so many people. These programs can mean the difference for the poor, the young and the old. They can keep those people who are at risk of becoming dependent on welfare programs from falling to that level. They prevent the Federal Government paying for more later on.

This year, the Committee on Appropriations reported out a fiscal year 1993 appropriations bill that provided expanded funding for a lot of those vital social programs providing the services that I mentioned. I commend them for that action. However, in so doing, the committee has significantly cut the funding for an equally vital program, the Low Income Home Energy Assistance Program [LIHEAP]. This year, the Committee on Appropriations has recommended a 40-percent cut in the funding for LIHEAP for fiscal year 1993. I am speaking before you today to voice my oppositions to this \$600 million cut. I am deeply disturbed that in this time of economic crisis for so many low-income families, the Committee on Appropriations has chosen to severely cut the funding level for LIHEAP, which is an indispensable program for these same families. I instead request that LIHEAP be funded at a level at least equal to the funding level in fiscal year 1992—\$1.5 billion.

The LIHEAP Program serves a very important population in this country—the old, the disabled, and the working poor. For many people, the benefits they receive through LIHEAP prevent them from falling between the cracks. LIHEAP provides these people with the most basic of all human needs, heat and electricity, without which many of our country's most vulnerable citizens could not survive. In the bitter cold winter months of our northern regions, home heating is as important as food to ensure the health and survival of our Nation's citizens. But with the cuts proposed by the committee, we would be denying America's families the basic ability to survive on their own. Without the LIHEAP benefits, many families would no longer be able afford keep their homes, and would join the ranks of their country's homeless. And although the increases in the other programs by the committee is certainly outstanding, families who no longer have heating, who are desperately trying to keep warm and make through the winter—these families are not going to be able to take advantage of excellent programs like Head Start.

With the \$1.5 million that LIHEAP received for fiscal year 1992, the program was only able to serve about one-quarter of the over 25 million of the households eligible for energy assistance provided through LIHEAP. The \$600 million cut proposed by the Appropriations Committee would severely handicap the LIHEAP program and leave an even smaller percentage of the eligible needy households with this necessary energy assistance as the winter months approach.

We are in an economic crisis in this country. The number of people who have fallen beneath the poverty line has increased dramatically in the last couple of years. We can not turn our backs on this population by cutting a program that provides something as essential as heating and home energy.

Although I realize that the Appropriations Committee faces difficult choices this year in the effort to balance the budget, I implore you to reconsider the appropriations to LIHEAP, and fund it at least at last year's level of \$1.5 billion. As of today, 207 Members of Congress have cosponsored House Congressional Resolution 282 which supports the same funding level. LIHEAP is a vital program; we can not balance the budget at the expense of the most needy in our Nation. I urge those 207 Members of Congress, as well as the rest of my colleagues, to restore the funding for LIHEAP to the fiscal year 1992 level.

Mrs. VUCANOVICH. Mr. Chairman, I am pleased to rise today in support of H.R. 5677, which I believe is a sound investment for the future of the women in our Nation.

Unfortunately, this bill is much less than the President's request in many areas. However, in this time of fiscal crisis I am pleased that we are able to include \$69.3 million for the breast and cervical cancer screening program, an increase of \$19.3 million above 1992. This program will save many lives, the lives of American women. Without screening programs we cannot detect the cancer which destroy women's lives.

In addition, the bill provides \$2 billion for the National Cancer Institute and directs the NCI to increase research on breast, cervical, ovar-

ian, and prostate cancer by not less than one-third above the 1992 level. This language is expected to result in \$70 million for research in these areas. As a breast cancer survivor, I know the importance of finding a cure for breast cancer and other life threatening diseases. When I support this measure, I think of my friends and family which are affected by these diseases, including our former colleague Sil Conte.

Mr. Chairman, I am also proud that this Congress once again addresses the need for additional research in the area of women's health. This bill provides over \$43 million for the women's health initiative, which is in its second year. The participation of women in medical research can only further our commitment in finding a cure for such diseases.

Besides health programs, the bill also provides appropriate funding for labor programs. Of specific interest to me is the JTPA Program for which \$4.2 billion is included. Within that amount, \$989 million is included for the Job Corps Program. These programs are so important to the people in the State of Nevada.

H.R. 5677 is an important bill which will benefit all our citizens by providing good health, proper education and opportunities in the area of business. I hope my colleagues will offer their support.

Mr. CONYERS. Mr. Chairman, I rise in strong support of the bill. This is one of the most important bills the House will consider this year. It is the backbone of our Government's domestic policy and a stark portrait of our spending priorities, and once again Chairman NATCHER, ranking member CARL PURSELL and the subcommittee have given us an outstanding bill.

Mr. Chairman, the subcommittee was faced with obsolete spending caps from the Budget Enforcement Act, entitlements driven by out-of-control health care costs, and a budget request from the President that called for social cannibalism among critical domestic programs—which resulted in some of the most agonizing choices between domestic programs in recent memory. The spending caps result in a 2-percent net reduction in new budget outlays in fiscal year 1993 compared to last year.

The subcommittee could have gone the easy route and employed a 2-percent across-the-board, meat-ax approach to this bill. Instead, the subcommittee deliberated the tough choices for over 12 weeks and heard from over 700 witnesses on this legislation—making it one of the most carefully crafted bills to reach the floor this year.

Mr. Chairman, this bill provides almost \$3 billion for Head Start and \$346 million for childhood immunization, almost \$2 billion for AIDS research, almost \$1 billion for Job Corps, and \$1.2 billion for vocational education. It is worth noting that the subcommittee came in over \$50 million below the President's discretionary spending request.

As chairman of the Committee on Government Operations, I want to commend the subcommittee for rejecting the President's request to delay the obligation of almost \$3 billion of fiscal year 1993 spending until the last day of the fiscal year in order to artificially shift outlays from fiscal year 1993 to fiscal year 1994. This is a shameful accounting gimmick intended to deceive the American public with

the appearance that funds are available in 1 year when in fact they would not be available until the following budget cycle—and the subcommittee is the wiser for rejecting it.

Finally, Mr. Chairman, I want to pay tribute to CARL PURSELL, a friend and fellow member of the Michigan congressional delegation who will be leaving us at the end of this session. CARL is one of Michigan's most favored policymakers, and is widely regarded as a reasoned, substantive representative. His contribution to this legislation before us today is a portrait of his career with us: he isn't afraid of tough choices; he offers common sense, non-partisan arguments; and has worked consistently with intensity and sense of purpose. He will be sorely missed and I wish him all the best.

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

Mr. GOSS. Mr. Chairman, this year, I have adopted a strict approach to the entire budget process, weighing everything in terms of affordability. Things are different this year because they have to be. Our national debt is very heavy, very real and getting worse. This could be the most important appropriation bill we consider, since it touches the daily lives of almost every citizen of the United States. It also must balance the ever-growing mandatory spending—which now comprises 74.4 percent of this spending bill—with the need to address problems in the areas of child and maternal health, educational dysfunction and joblessness before they become major spending burdens for our children. This bill, H.R. 5677, funds the premier medical research facility in the world, the National Institutes of Health; provides vital aid to individuals seeking higher education; and funds successful job training programs. These initiatives are desperately needed to assist the growth of our country. I do not envy the difficult decisions which were made to keep this bill under the aggregate budget ceilings. The cuts to community health care centers, the Job Training Partnership Act, Pell grants, refugee resettlement programs, and domestic violence will have to be shouldered by many Americans in need. In explaining this shortfall to the individuals who bear the brunt of these cuts, we must acknowledge the 13-percent increase in mandatory spending.

Entitlements comprise practically two-thirds of this bill, leaving little room for discretionary spending. This mandatory spending, a \$178 billion gorilla, dwarfs the discretionary portion of the bill which weighs in at \$61.6 billion. Yes, these entitlements are the lifeblood for millions of individuals who depend on Social Security disability payments, unemployment compensation, Medicaid and Medicare part A benefits. But we can't just sit back, year after year, watching the cost and scope of these programs balloon without addressing the reasons behind their growth. The fact is, our current health care system is failing and forcing American citizens, in increasing numbers, to depend on the Government to provide the care they need. So where this year's Labor "HHS" Education appropriation is 74 percent entitlements, next year's could be even more skewed toward mandatory spending.

Although the words "entitlement" and "empowerment" have the same number of let-

ters, they certainly do not have the same budgetary impact. I am frustrated by our inability to provide more money to proactive Government initiatives, such as Healthy Start, community prevention grants and the Adolescent Family Life Program that will empower people to take control over their own lives. Instead, we perpetuate the redtape. For instance, today, four staff members in my district offices will work almost exclusively to resolve conflicts between beneficiaries and the bureaucratic nightmares of these entitlement programs. Mr. Chairman, we've got to do better than perpetuating the status quo through annual appropriations bills. We must attack the problem of our current health care delivery system, eliminate the duplication, abuse and bureaucratic waste of the governmental system and provide options for those who have fallen victim to the skyrocketing costs of medical care in this country.

I will support this appropriation today because it's a matter of life and death for countless people and because the Government has entered into a contract that must be upheld. But I do so while urging my colleagues not to stop here. Let's finally reform our health care delivery system.

Mr. LEWIS of Florida. Mr. Chairman, there are many, many fine programs in this bill that I strongly support, including medical research on women's health, Alzheimer's disease, AIDS, cancer, and others, as well as Head Start and other effective education programs. Therefore, it is with regret that I must vote against this bill because of the need for fiscal restraint in the Federal budget.

This bill appropriates \$244.1 billion. This figure is \$25.3 billion more than was appropriated in the previous fiscal year. I cannot in good conscience support such a large increase in spending when we have a \$4 trillion national debt.

I understand that most of the programs in the bill have a worthy purpose, but we simply cannot afford to continue borrowing our way into future fiscal oblivion. We cannot continue to live beyond our means at the expense of future generations.

It is my hope that the next Congress will see fit to adopt a balanced budget amendment to the Constitution so that, if three-fifths of the States approve the amendment, the Appropriations Committee and this House will be compelled to prioritize spending and put ourselves on the road to a balanced budget.

In the meantime, it would be unconscionable to give my approval to the uncontrolled spending represented in this bill.

Mr. COLEMAN of Texas. Mr. Chairman, I rise in support of H.R. 5677, the Departments of Labor, Health and Human Services, and Education, and related agencies appropriation bill for fiscal year 1993. In doing so, I wish to commend the leadership of Chairman NATCHER and the ranking member, CARL PURSELL, as well as the hard work of the entire subcommittee in bringing forward this legislation.

There are a number of proposals contained in the bill which are important to my congressional district in west Texas. For example, the legislation contains important funding increases for the Job Corps Program nationwide. My colleagues will remember my pride in the outstanding work of the El Paso Job

Corps Center which has been recognized as the No. 1 center for the last several years.

I am also encouraged about the fact that the bill recognizes the unique situation involving health issues emanating from the United States-Mexico border area. The subcommittee included language which directs the Health Resources and Services Administration to give priority consideration to community health center funding initiatives from southwestern border communities. The bill also addresses border health education centers by funding schools of medicine and osteopathy in border areas.

I also applaud the subcommittee's initiative in supporting increased funding over the President's budget request for the Head Start Program. The bill contains important funding requests for programs involving chapter 1 compensatory education programs, bilingual education programs, and immigrant education initiatives. All these educational initiatives are aimed at integrating students of all backgrounds and income levels into our public school system. This also recognizes the cultural diversity present in our society, especially in urban centers like El Paso.

Finally, I want to support this legislation because of the important women's health initiatives and programs in support of families, youth and children contained therein.

I urge my colleagues to join me in supporting this legislation.

Mr. MOAKLEY. Mr. Chairman, I would like to express my strong support for the Low-Income Home Energy Assistance Program [LIHEAP].

LIHEAP provides invaluable supplemental fuel assistance to many residents of my district, particularly now. Massachusetts has been in the midst of one of the worst recessions in postwar history and the unemployment rate hovers at around 9 percent. Thousands of senior citizens, unemployed, and working families in my district are barely able to make ends meet. They are literally forced to choose between putting food on the table and heating their home. This is unacceptable.

Additional funding is needed just to maintain services. I understand the budgetary constraints we are facing, but I cannot emphasize enough the importance of adequate levels of funding for LIHEAP. The Low-Income Home Energy Assistance Program deserves our full support.

Mr. ROGERS. Mr. Chairman, I want to congratulate Mr. NATCHER, our hardworking chairman of the House Labor-HHS-Education Committee for all of his excellent work.

This was a difficult bill to produce, but as usual Chairman NATCHER has done a superb job to ensure that programs that touch every aspect of our lives are protected.

Of the thousands of programs in this bill, I want to call attention to one relatively small program that does a lot of good. I'm talking about the Low-Income Home Energy Assistance Program or the LIHEAP Program.

Mr. Chairman, the LIHEAP Program works.

Last year in Kentucky, the LIHEAP provided emergency heating to 67,000 households, many of the people live in the mountains of eastern Kentucky, where the weather is severe and unpredictable.

Last year in Kentucky, more than 55 percent of the people who benefited from the LIHEAP

in eastern Kentucky were senior citizens living on fixed incomes.

I urge my colleagues to support this bill and the LIHEAP Program as we move toward conference with the Senate. And, I want to commend my chairman from Kentucky for producing the best possible bill for the Nation.

Mr. GUNDERSON. Mr. Chairman, I am pleased to have this opportunity to speak in favor of the fiscal year 1993 appropriations bill for the Departments of Labor, Health and Human Services, and Education. I have always commended the efforts of the chairman, Mr. NATCHER, the ranking Republican member, Mr. PURSELL, and the other members of the committee in producing a bill that addresses many of the health and educational needs of this Nation. I believe, that this year in particular, they are deserving of high praise.

As one reviews the fiscal year 1993 bill, one finds that many of the education, health, and social service programs that come under the purview of this committee, have not been increased to many of our expectations or to those of our constituencies. However, this is not the fault of the chairman nor of the committee. All of us have contributed to this outcome. Over the last several years, we have all continued to play smoke and mirrors with the Federal budget. You can only play this game so long, before it catches up with you.

Despite the constraints placed on the committee, the 1993 bill represents a commitment to health and education programs. I would like to take a moment to highlight some of those initiatives.

Community service employment for older Americans: This program provides part-time employment in community service activities for seniors who are unemployed and low-income. Despite the lack of an authorization for this program, the committee saw the program's importance and maintained funding for this important program. This program provides employment to over 10,000 individuals in Wisconsin.

National Health Service Corps: The 1993 bill has given this program a slight increase over fiscal year 1992. Over the last several years, funding for this program has increased significantly. The National Health Service Corps recruits primary health care practitioners for service in underserved rural and urban areas. This program is quite important to western Wisconsin where we currently have nine communities seeking physicians and other health care professionals.

Rural Health Outreach Grants Demonstration Program: I am very pleased to see that the House Appropriations Committee has funded this initiative despite the lack of an authorization. I have introduced legislation to permanently authorize Outreach grants. One successful demonstration project is located in Balsam Lake, WI. The project called KidsCare, provides medical and dental services to children in rural communities who do not have health insurance and are covered by Medicaid.

Centers for Disease Control, funding for HIV: As we all know, no bill will ever contain sufficient funding to combat this most tragic disease. However, I do want to acknowledge that this bill includes a \$24-million increase in the CDC's budget for HIV programs support-

ing research, surveillance, epidemiologic, and preventative efforts.

Breast and cervical cancer screening: This bill also recognizes an important commitment to cancer prevention, especially for women by increasing this initiative \$20 million over fiscal year 1992.

Higher education: Last week, the President signed the 1992 Higher Education Act. The committee report indicates that "if the bill becomes law prior to the conference on the 1993 appropriations bill, the committee will consider modifications that might be possible within existing resources." I am confident that the present higher education allocations will be modified to reflect the 1993 higher education bill, especially funding for Pell grants for less than half time students.

Vocational and adult education: The bill contains an \$80 million over the fiscal year 1992 allocation. This significant increase will benefit the thousands of individuals who attend vocational education institutions upon graduation from high school and the thousands who attend these entities later in life in order to seek additional training or pursue educational training for a new career opportunity.

Once again, I thank the chairman and the committee for their hard work and effort under very difficult circumstances. I urge my colleagues to support the bill.

Mr. LENT. Mr. Chairman, I rise to express strong support for restoring shortsighted cuts and providing an adequate level of funding for the Low-Income Home Energy Assistance Program (LIHEAP).

LIHEAP provides targeted assistance to less fortunate Americans who require help in heating their homes during the cold winter months. The program has proven to be a highly cost-effective way of aiding the most vulnerable men, women, and children in our society when they are at their most vulnerable. In fact, as many in this chamber already know, approximately 50 percent of all LIHEAP households include an elderly or handicapped individual.

We simply cannot allow further cuts to be made in LIHEAP funding. In my home State of New York, where approximately 2.5 million households are eligible for LIHEAP, only 900,000 were actually served. Nationwide, only 7.1 million homes were served out of the estimated 17 to 24 million eligible. It is simply unacceptable Mr. Chairman, for us to permit nearly 1½ million New Yorkers and more than 10 million Americans to be left out in the cold next winter.

Earlier this month, the House acted on the President's urban aid proposals to prevent a long, hot summer in our cities. Now we must act with similar determination to ensure that Americans beneath the poverty line are not forced to endure a long, cold, and exceptionally cruel winter. I urge my colleagues to join me in supporting funding sufficient for the LIHEAP Program to do the important job for which it was created.

#### HEAP/LIHEAP FACT SHEET

Nationally—unemployment is 7.3%.<sup>1</sup>  
 New York—unemployment is 9.3%.  
 City of Buffalo—unemployment is 12.2%.<sup>2</sup>  
 Nationally—450,000 workers each week filed new claims for jobless benefits from November 1991 to March 1992.

<sup>1</sup> U.S. Department of labor.

<sup>2</sup> NYS Department of Labor Regional Offices (as of April 28, 1992).

New York—(not available).

Nationally—Between 17 to 24 million households are eligible for HEAP.

Nationally—Only 7.1 million were served.  
 New York—Approximately 2.5 million households are eligible for HEAP.

New York—Approximately 900,000 households were served.

Households with income below 125% of poverty spend approximately 14% to 23% of their entire income for home energy.

The average household spends 3.5% to 4.0%.

#### NORTHEAST

The average low-income household's annual gas bill is \$1,334. The average HEAP grant (basic) is \$200. In Erie County, the average (basic) grant is \$120.

#### NEW YORK

Ninety percent (90%) of HEAP recipients have incomes less than \$8,000 per year. In addition, approximately 50% of all HEAP households include an elderly or handicapped individual.

#### NATIONALLY

The proposed Administration LIHEAP plan would slash funding from the current \$1.5 billion dollars to \$1.065 billion dollars in 1992-1993—a 29% cut.

To make matters worse, the Administration plan would provide only 25% (\$266,500,000) of the total funding at the outset of the fiscal year in time for the heating season.

The remaining 75% (\$798,750,000) would not be available until the last day of the fiscal year, September 30, 1993.

Since 1989, more than 2 million households have slipped below the poverty level.

Mr. WEISS. Mr. Chairman, I wish to commend my respected colleague, the chairman of the Appropriations Subcommittee, Mr. WILLIAM NATCHER, for his continuing support for AIDS funding. In the early years of this deadly epidemic, when the President's budget requests for AIDS programs were woefully inadequate, Mr. NATCHER was able to increase and, in many instances, more than double the funding amounts above the levels requested. His work allowed the Federal Government to mount a more vigorous response to the AIDS epidemic.

However, in the past few years, due to the expanding budget deficit and ill-conceived efforts by the Congress to restrain it, the Appropriations Committee has not been able to maintain the increases so sorely needed in funding for AIDS research, prevention and care. Annual appropriations have not continued to grow at a rate that can keep up with, let alone get ahead of the epidemic. In fact, in this fiscal year 1993 appropriation, the committee's AIDS budget has sunk below the President's request.

As last week's International AIDS Conference in Amsterdam demonstrates, the cost of AIDS care in the United States has risen sharply during the past year and will continue to rise by 48 percent from 1992 to 1995. This projection is the result of anticipated increases in the number of HIV infections and AIDS cases as well as increased need for services.

The Ryan White Care Act, authorized in 1990 at nearly \$900 million, would provide this essential health care and other services to persons with HIV disease. But Ryan White has never come close to full funding. This bill contains \$327 million for Ryan White, \$13.5 million more than was appropriated in fiscal

year 1992, but \$18 million less than the President's request. This shortfall will exacerbate the burden on health care systems in cities and towns across the nation as the HIV case-load continues to rise.

Another important source of health care for persons with HIV disease are community health centers. And yet, this venerable program that has been the provider of health care to poor persons in urban and rural areas since the Great Society programs of the sixties, was cut by \$88 million in this bill. I deeply regret this cut and hope that it can be restored.

In response to charges that they have not made sufficient progress against the AIDS epidemic during the past decade, a decade in which they allowed the disease to flourish, the administration responds that they have spent many billions of dollars—more than has been spent for some other major diseases. It is true that the administration has spent a considerable amount of money on this epidemic, but it still has not been enough:

With all their research dollars, they have developed neither a cure nor a vaccine for AIDS. Nor are there any treatments that can substantially prolong life or rebuild a devastated immune system;

With their prevention dollars, the Centers for Disease Control has not learned how to systematically provide effective prevention messages to those most at risk, and they have allowed the epidemic to continue to grow with 40,000 to 80,000 new infections each year. Moreover, according to testimony at a recent hearing held by the Government Operations Subcommittee that I chair, some CDC prevention programs have been subjected to political constraints in the promotion of condom use and other strategies for the prevention of HIV transmission;

And, finally, with their treatment and care dollars, the administration is not taking care of many of the HIV-infected persons who are in need of drugs, early intervention, social services and health care.

Another epidemic—tuberculosis—which we thought was under control, has returned accompanied by a dangerous and often lethal new form. Drug resistant TB is wreaking havoc in many of our larger cities and terrorizing the very communities that are hardest hit by the AIDS epidemic. I applaud the Appropriations Committee's funding level for TB prevention and control, which is an increase of \$59 million over the 1992 level and \$39 million more than the amount requested by the President.

In sum, the Appropriations Committee has done well by tuberculosis, with a funding level that will provide greater assistance to severely affected cities. But for AIDS, the funding levels are insufficient to adequately cope with the burgeoning number of AIDS cases, capitalize on recent advances made in AIDS research, and mount prevention programs that reach the large numbers of persons at risk.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in support of H.R. 5677, the appropriations bill for Health and Human Services and Labor Departments. The subcommittee was given the very difficult job of ordering the priorities for this country in this time of very limited resources.

I support this bill with some reservations, for as with any orderings of priorities I agree with

some of the proposals that have been made while strongly disagreeing with others.

LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM  
(LIHEAP)

Of the cuts that were made in this bill, one of the most disastrous in my view, is the severe cut that is sustained by LIHEAP. The committee's recommended appropriation of \$891 million is \$174 million less than the administration's request. This is particularly difficult since under the administration request the program was already cut by \$609 million from the fiscal year 1992 level of funding.

The Low-Income Home Energy Assistance Program provides funds for the most needy citizens to heat their homes in the winter. These are people receiving public aid, the elderly and those who are living below the poverty line. In my city of Chicago, where winters are extremely difficult, we are already unable to assist all of the households which are eligible and in need of assistance.

In fiscal year 1991 families participating in LIHEAP in the city of Chicago received an average benefit of \$385 dollars per household. That benefit decreased to \$218 in 1992. If the number of households served remains the same as in 1992, the average benefit per household under this appropriation would be a mere \$178 per household. Believe me in a Chicago winter \$178 does not buy a lot of heat for a poor family.

Over these 3 years the bite of the cold has not lessened nor has the number of poor families decreased—in fact the poor have increased. This means our most vulnerable citizens—children, senior citizens, and the ill and disabled—are at risk. For many the help they receive from LIHEAP means the difference between heating their homes and risking illness or death from exposure to the cold. I fear that in cutting this program we are sending the most cruel of messages to already hurt and neglected families.

This cut could not come at a worse time. The budget crunch that is affecting State houses across the country has sent State legislatures and Governors looking for places to decrease spending. All too often they cut programs that serve the poor. In my State of Illinois the Governor has eliminated the State's energy assistance program—the Residential Energy Assistance Partnership Program. It has been replaced with an energy assistance program solely funded with Federal LIHEAP dollars, this act has eliminated between \$33 and \$38 million in State funding for energy assistance to low-income residents. The elimination of REAPP makes full funding of LIHEAP a critical issue for residents in my State.

WOMEN'S HEALTH

In spite of this glaring error there are some recommendations in the bill that I support enthusiastically. I am glad to see that the issue of women's health has again been given the highest priority by the committee in its appropriation for the National Institutes of Health. By designating over \$43 million for the second year of the women's health initiative, which will provide a comprehensive study of heart disease, osteoporosis, and cancer in midlife and older women we can show our commitment to insuring that the health care of women is not overlooked. NIH will be able to look more

closely at these conditions which affect women in alarming numbers.

The committee has encouraged NIH to give priority to including women and people of color in clinical trials of AIDS's patients. Since growth in this deadly virus is especially heavy in these demographic groups, it only makes sense that more resources should be devoted to them.

Mr. Chairman, as I lament some of the priorities in this bill I applaud others. Hopefully when all is completed we can be proud of the decisions that we make in carrying out the business of the American people.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of this legislation today and to say that given our subcommittee allocation it was the most difficult bill our subcommittee has ever had to consider and bring before the House. As Chairman NATCHER has noted, our 1993 budget allocation actually allows for 2-percent less in outlays than our 1992 bill.

This forced our committee to take a hard look at evaluating our priorities for 1993. In most cases, I believe, we made the right choices, especially in emphasizing the need to provide for the health and education of our children.

Included in the bill is \$29 billion for programs at the Department of Education. This represents a 6-percent increase over the amount provided in 1992. With these funds, the Department provides our local school districts with support for educationally disadvantaged children, for vocational and technical education programs, for special education for the handicapped, for adult education programs, and for financial assistance to students attending college.

For the Department of Health and Human Services, our committee has provided \$9.2 billion for biomedical research at the National Institutes of Health. This includes special research initiatives into breast, cervical, and testicular cancer; diabetes and juvenile diabetes; sudden infant death syndrome; Alzheimer's disease, osteoporosis, heart attack, and stroke.

The committee also recommends \$1.98 billion for research, education, and other activities directed at the prevention and treatment of AIDS, the greatest health epidemic facing our Nation and the world. Included in this request is \$327 million to fund the Ryan White AIDS care programs to assist highly impacted communities, including the St. Petersburg/Tampa area of Florida which I represent, in providing treatment and counseling for AIDS patients and at risk populations. This is a \$50 million, or almost 20 percent, increase over the amount available for 1992. It is interesting to note that 12 years ago, the committee provided the first \$200,000 for AIDS research.

Continuing on ongoing commitment, our committee provided \$346 million for childhood vaccine programs, an increase of \$49 million or 16 percent over the amount available in the current year. These funds are to help State and local public health programs to vaccinate more schoolage children against measles, mumps, and whooping cough which are totally preventable diseases if only we can deliver the vaccines to children in a timely manner.

To better prepare our children to begin school ready to learn, our committee rec-

ommends funding of \$2.7 billion for Head Start, a 24-percent or \$519 million increase over the 1992 level. This will enable an additional 90,000 children to be served by the program. If the funding is enacted at our recommended level, our committee will have increased funding for Head Start by \$1.5 billion, or 120 percent, over the past 4 years.

Finally, the bill provides the funding required to administer the Social Security and Medicare Programs. This includes a \$101 million increase in payments to the Medicare contractors to meet the anticipated growth in claims filed by beneficiaries and providers.

Throughout the process of drafting this bill with such difficult budgetary constraints, the members of our committee had to compromise in a number of areas which made none of us happy. This is a bill, Mr. Chairman, which could use twice the budget allocation we had to fund all the worthwhile programs within our jurisdiction.

One of the programs on which there was uniform agreement among the members of our committee was funding for the National Marrow Donor Program. Included in this bill for the National Heart, Lung, and Blood Institute, which along with the U.S. Navy does an excellent job administering this program, is \$26.7 million for the operation of the program, for marrow donor recruitment especially in minority communities, and for a number of important research initiatives to improve the rate of success for marrow transplantation and to continue to expand the number of diseases for which it is a life-saving cure.

Mr. Chairman, last year I shared with my colleagues two charts showing the dramatic growth of this program which should make every Member of this House proud for the role they have played in its support. Today, I want to update those charts to show you that the rapid growth and enthusiasm for this program continues unabated. As you will note, at the end of June, 642,370 Americans had taken the quick and simple blood test required to be listed in the national registry. This is a 77-percent increase in the number of volunteers since I showed you these charts last year. In fact, during the last quarter, the registry grew by an average of 33,000 potential donors per month. Great progress continues to be made in providing ethnic diversity to the national registry. The number of minority donors has increased four fold in the past year.

The funds provided by this committee and the Defense Appropriations Committee on which I serve, have enabled 46,800 minority volunteers to be tissue typed and added to the national registry. In fact, almost one-fifth of the donors added to the registry during the past 18 months are from minority populations.

The purpose of this program, and the result of the hard work of so many heroes who have dedicated their lives to this program, is told in the growing number of patients who are finding matched, unrelated donors through our registry. They are given hope in their battle against leukemia and more than 60 otherwise fatal blood disorders. As the charts indicate, through June 30, 1,259 transplants have been completed utilizing donors through our registry. Currently, 40 to 50 matched donors and patients are being brought together each month.

As I have said so often, the secret to the success of this program is people, and as the charts show you today, the increasing number of donors translate to increased opportunities to save lives. The 77-percent increase in donors over the past year has resulted in a 70-percent increase in transplants during that same time period.

Not only are we matching more patients and donors, but we are finding higher quality matches in less time leading to an increasing success rate for the procedures. It has been found that the success rate for some forms of leukemia is upwards of 70 percent. These are patients whose chance of survival without a transplant is virtually zero.

Although the primary mission of the National Marrow Donor Program has been to save lives by matching unrelated patients and donors, the scientific community is quickly understanding the unprecedented research potential provided by the national registry. Nowhere in the world is there a larger collection of computer coded tissue samples.

This registry of data will become even more valuable and precise through an initiative begun last year, the National Marrow Donor Program will retain DNA samples for volunteers being added to the registry. Over time, this process will enable researchers to have access to the genetic codes of thousands of individuals worldwide.

The research potential for this collection of tissue samples is unlimited and its possibilities are just beginning to be understood by researchers. In anticipation of the many ethical and scientific questions that must first be answered before this information can be utilized for research, the National Marrow Donor Program has appointed an ethics and scientific review committee to make recommendations in these areas.

The potential is clear, however, that the national registry can be a key tool to unlocking the genetic secret to many of the diseases that remain a mystery to the medical community.

The National Marrow Donor Registry is also a national and international resource that is ready to be placed into service in time of crisis or disaster. As we learned during Operation Desert Storm, when plans were prepared to utilize the national registry to provide matched platelets for allied casualties, there are many ways in which this program can save lives besides providing a source for marrow donors.

Matched platelets are oftentimes required for patients who are severely burned or exposed to chemical weapons or other toxins to the body. They increase the chance for survival in the cases of these casualties and are available in large numbers through the national registry.

Finally, bone marrow transplantation offers hope as a treatment for a number of malignancies, immune disorders, and other conditions not even considered for treatment by bone marrow transplanters just a few years ago. Already a number of otherwise lethal conditions in children, including congenital abnormalities of the immune system and enzyme deficiencies that left untreated lead to vital organ failure, have successfully been treated with unrelated marrow transplants through the national registry.

The research funded in this bill opens the door to allow us to explore these possibilities and applications to further expand the use of the national registry. In addition, it will enable transplanters to better understand ways in which we can improve the rate of success of marrow transplants by reducing the incidence of graft versus host disease, the single most serious obstacle to a successful transplant, as well as other complications which can cause heart, liver, and kidney failure in recipients.

Research utilizing DNA-based technology also enables researchers to even more precisely match patients and donors further improving the chance at success.

By this time next year, the National Heart, Lung, and Blood Institute will open its own bone marrow transplant unit to begin onsite clinical work to answer many of the mysteries still surrounding marrow transplantation.

Finally, funding included in this bill will enable the National Marrow Donor Program and the National Heart, Lung, and Blood Institute to go back and carefully evaluate the biostatistics required to determine the rate of success for the almost 1,300 unrelated marrow transplants completed with donors identified through our registry and to undertake an important program of prospective clinical trials on bone marrow transplantation to determine the rate of effectiveness for treating various complications that arise during the procedure.

Mr. Chairman, the news is good about the National Marrow Donor Program. It continues to be a modern medical miracle—one which we have just begun to tap to save lives in so many new and different ways. It is also a program which is uniting the world as already marrow has crossed international borders some 40 times and more than a dozen countries have formal and informal working agreements with the program.

Every member of this House can take great pride in the role they have played in establishing and funding this program to give so many people and so many families the hope for a second chance at life that did not exist just a few short years ago.

Mr. PACKARD. Mr. Chairman, I rise in opposition to H.R. 5677.

In 1986, Congress adopted the Immigration Reform and Control Act [IRCA] to legalize millions of individuals residing permanently or temporarily in the United States without documentation. IRCA mandated States provide public assistance programs to the amnesty population. Congress agreed to share the costs of these programs with the States.

To assist the States with the health, education, and social services costs incurred with compliance of IRCA, Congress appropriated \$1 billion for each of the 4 fiscal years beginning in 1988. These funds were appropriated to guarantee that States affected by IRCA would not be left holding the bag for these Federal mandates.

Once again Congress is shirking its responsibility. H.R. 5677 includes language which cuts half of the total \$1.2 billion in SLIAG funding that otherwise would become available in fiscal 1993.

California's State and local governments have complied with the requirements of IRCA. However, this compliance has shifted a disproportionate amount of the cost of this Fed-

eral mandate to overburdened states and localities.

California is home to 1.6 million former undocumented aliens who applied for temporary residency status. As my colleagues can see, California has honored more than its fair share of the bargain. Now it is time for Congress to take responsibility and live up to its commitment.

Mr. HOUGHTON. Mr. Chairman, I rise in support of the Low-Income Energy Assistance Program [LIHEAP]. I do so because this program is vital to the Northeast and the 34th District of New York.

In fiscal year 1992, Northeastern States received in \$199.8 million in LIHEAP funds, allowing them to help 1.9 million families, many of whom were poor, elderly or disabled, meet their heating needs; 29,200 of these families were in my district, the southern tier.

What does this program mean to the people it helps? Take Allegany County, NY, as an example. This past winter the county department of social services used LIHEAP funds to assist 4,087 families; 1,178 of these were emergency cases and many were senior citizens. If the money had not been available, these families would have lost the most basic of necessities—their heat.

How does this bill, the Labor-HHS-Education appropriations bill, treat such an important program? Not well. It cuts LIHEAP by 41 percent from the fiscal year 1992 level of \$1.5 billion.

Last year, the House cut a big chunk from LIHEAP funding, but it was restored in conference. Hopefully, the same thing will happen this year.

Mr. WELDON. Mr. Chairman, I rise today in strong support of increased funding for the Healthy Start Program. Healthy Start, which was initiated in 1991, is designed to reduce the incidence of low birth weight, alleviate the tragedy of infant mortality, and help reduce the Nation's spiraling health care costs. Yet, while the administration requested \$143.1 million for fiscal year 1993, the Healthy Start Program has only been funded at \$60,832,000, which is \$614,000 below the 1992 level and \$79,310,000 below the administration's request.

Currently, there are 15 areas, both rural and urban, that have been targeted to initiate pilot Healthy Start projects. These areas have been chosen because they have particularly high infant mortality rates. Through the moneys available in the bill, grants will then be made available to these test sites in order to support outreach, public information, case management, and coordination of a wide variety of health and social services as well as expand health care delivery.

Philadelphia was selected as one of these 15 test areas to receive grants specifically designed to fight infant mortality. This city was selected not only because of its need to develop innovative new maternal and infant care programs but also because of its impressive community program to improve maternal and infant health care.

Yet, Mr. Chairman, 1993 is a critical year for the Healthy Start Program. At the time of the initial grant awards in October 1991, the grantees were advised that the Healthy Start Program is a 5-year demonstration program. For

the past 9 months, the 15 Healthy Start projects have focused on developing implementation plans for their communities. These plans were based on the fiscal year 1992 appropriation levels and an expectation that the fiscal year 1993 funding would be in line with the President's request.

However, any deviation from the amount requested by the administration would, without a doubt, raise questions about the Federal commitment to Healthy Start communities and would make it extremely difficult for communities to plan for the future years. This, Mr. Chairman, would seriously threaten the future of this important initiative.

As Members of Congress, we have a dual role of providing projects with a predictable source of funds and doing all we can to assure that any administrative barriers that hinder women and children from receiving necessary services within our control are removed. Yet, Mr. Chairman, I am very concerned that without adequate funding for this program, this barrier will continue to exist at the expense of those that are most in need of this program.

It is time for Congress to show this Nation that we are committed to helping America's cities and our youth. I urge the Appropriations Committee to support increased funding for Healthy Start when this bill goes to conference.

Mr. FAZIO. Mr. Chairman, I rise in strong support of H.R. 5677, the Labor, Health and Human Services, and Education, and related agencies appropriations bill for fiscal year 1993.

Each year, we applaud Chairman NATCHER and the members and staff of the subcommittee for their work in drafting this legislation and bringing it to the floor. However, the chairman and his team deserve special acclaim for their work during this appropriations cycle.

The task before the subcommittee this year was perhaps the most challenging it has ever faced. To begin with, the subcommittee—as always—has a very small pot of money to work with. This is because 74 percent of the funds in their budget are for entitlement programs, like unemployment compensation, Social Security and Medicare—for money that is automatically spent, and over which the subcommittee has no control. The remaining 26 percent is discretionary funding—the money that must be divided up among the programs that are so critical to us, especially now.

Second, the spending caps that were set in place by the 1990 Budget Enforcement Act greatly restricted the use of what little discretionary funds the subcommittee had to work with—it had 2 percent less this year than it had last year. In other words, last year's expenses had to be reduced by 2 percent in order to fall within the limitations of the budget.

In spite of the above, the subcommittee managed to set priorities and make hard choices. The result is a bill that continues to fund a lot of good programs, as well as to meet new needs. H.R. 5677 does not drive us deeper into debt, but helps us meet our goal of living within our means.

The funds in H.R. 5677 are used to minimize the effect that our economy has on workers, like those Californians who are dislocated

by our declining defense industry. H.R. 5677 provides temporarily unemployed workers with both income and job search assistance, and supports job training and summer youth employment, as well as part-time community-based jobs for low-income senior citizens, and employment and training programs for veterans.

H.R. 5677 funds health research, this year placing a very high priority on women's health, in particular breast, cervical, and ovarian cancers. It supports community health centers and educational programs for health care professionals. The Centers for Disease Control, which insures that serious problems—like those related to the spread of AIDS, sexually transmitted diseases, and tuberculosis—can be addressed, is funded by this bill.

Child care programs, child support enforcement programs, Head Start, foster care and adoption assistance support services, nutrition services for our elderly citizens—all these key support systems are dependent upon the funding in H.R. 5677.

The bill manages to delicately balance the different, overwhelming needs it must meet. Programs that have not yet been authorized for the upcoming year—like those in the Older Americans Act—are funded at last year's levels. Funding for the Farmworker Safety Program—which supports the Center for Agricultural Disease and Injury Research and Education at the University of California, Davis and which the President had completely eliminated—is restored.

Most noteworthy is the grant for which the cancer center at the University of California, Davis and Lawrence Berkeley Laboratory were just selected. The grant will fund startup construction for a state-of-the-art cancer treatment center. The funding for this grant—which was only awarded to one other location in the country—is in H.R. 5677.

During this time of severe financial constraint, Chairman NATCHER has also been able to honor our Federal commitment to fund SLIAG, State legalization impact assistance grants. This is the program that is so critical to the delivery of health, education and public assistance services required for newly legalized persons, not only in California, but in the other 41 States and territories that have applied for and received SLIAG funding.

I want to thank the chairman for his hospitality, in allowing me and other members of the California delegation to testify before the subcommittee on behalf of SLIAG, as well as for his support, his sensitivity, his diligence, and his commitment in working with us to honor this Federal mandate. The \$561 million that the subcommittee has appropriated for fiscal year 1993 will enable us to get through the upcoming year; and the remaining \$562 million—to be funded in fiscal year 1994—will enable us to fulfill the remainder of our obligation to support these crucial health and education services.

It is obvious that, without H.R. 5677, we would not be able to fund the essential programs that support our basic needs. A vote for the health, education, nutrition and employment programs in H.R. 5677 is a vote for us all. America's families, workers, children, elderly, and veterans are dependent upon the programs and services that H.R. 5677 sus-

tains and provides. I urge my colleagues on both sides of the aisle to support funding of basic benefits and services for all Americans.

Mr. Chairman, I want to express my support for H.R. 5677, the Labor, Health and Human Services, and Education appropriations for fiscal year 1993. The bill appropriates \$764 million for the Impact Aid Program, including \$135 million for section (b) students whose parents live or work on Federal property. This represents an increase of \$232 million over the administration's 1992 budget request. Most importantly, the bill restores funding for federally connected "B" students which the administration proposed to eliminate.

I testified and 104 Members joined me in a letter to the Labor, Health and Human Services, and Education Appropriations Subcommittee expressing our concern about the administration's impact aid cuts. We are very grateful to the Appropriations Committee, and to especially Chairman NATCHER and ranking minority member CARL PURSELL, for recognizing that these cuts would cause serious harm to our Nation's school districts and the families of those schools.

Public Law 81-874, the Impact Aid Program, recognizes the Federal Government's duty to reimburse school districts for the local revenues lost from federally connected parents because of Federal ownership. Impact aid is a critical source of funding for congressional districts such as mine which is the home of Offutt Air Force Base and the headquarters of the Strategic Command. This large military installation creates an influx of residents in surrounding communities and students in the public schools and reduces local tax revenues, a major source of funding for public education in Nebraska. Under President Bush's fiscal year 1993 budget proposal to eliminate "B" funding, six school districts in the Omaha area would be responsible for educating nearly 7,500 students without the promised Federal funds.

We must support impact aid to ensure that all children receive an education that enables them to be productive citizens. Public concern about the economy continues to soar. Unemployment is at 7.8 percent, and American families are struggling to make ends meet. At the same time, we must recognize that the current recession is not just a cyclical downturn, but it is also a harbinger of serious long-term economic ills that must be addressed. Investing in human capital is one of the best investments we can make. One of the long-term solutions is to give our children a quality education and to spur long-term job creation.

I am pleased to vote "yes" today to restore the Impact Aid Program. This is a clear Federal obligation which means a great deal to the students and families in my congressional district and schools across the country.

Mr. SHARP. Mr. Chairman, as the current recession has persisted in so many parts of the country, the need to give hope to the average American family has deepened. The Labor—HHS—Education appropriations bill occupies a place of special importance because it addresses so many of our basic human aspirations.

If your children need hope, this bill holds the promise of a better education; if your parents need hope, it offers medical research for their

old age; and if you need a job, there are employment and training opportunities.

Yet, in one important area this bill fails to provide hope for those who need it. This is in funding for the Low Income Home Energy Assistance Program, known as LIHEAP.

LIHEAP serves over 6 million households in all 50 States, providing critical assistance to the poor and elderly by helping them pay for their energy bills. In order to improve the operation of this program, 2 years ago Congress passed an authorization for LIHEAP that included many innovations and set an authorization level for fiscal year 1992 at \$2.23 billion.

However, funding for this program has steadily declined from \$2.1 billion in 1985 to \$1.5 billion in fiscal year 1992. The reason for this decline has been a combination of the temporary availability of oil overcharge money to the States and a lack of support by the administration. The oil overcharge money was a excuse that has now largely run out. Unfortunately, opposition by the administration has become a permanent fixture.

Earlier this year, over half of the House co-sponsored House Concurrent Resolutions 282 expressing a sense of Congress that LIHEAP should receive funding in fiscal year 1993 that is at least equal to last year's level. Unfortunately, competing priorities in this bill forced a 41 percent reduction in this program.

This appropriations bill includes funding for education, welfare, and health. As a result, Members voting on this bill have been put in an impossible situation requiring them to choose whether they would rather have their constituents be wise, warm, or well. We should not have to choose between these necessities.

It is extremely disappointing that the Appropriations Committee did not have sufficient funding available for this bill so that they could protect this program. I would like to make it very clear that I oppose this drastic cut in the LIHEAP Program and will work to restore funding in conference and in subsequent years.

Furthermore, I would like to call on the President and the Appropriations Committee to reconsider their position on funding for this program and to pledge to work with the authorizing committees and other Members to raise the funding for this program. I hope such cooperation will lead to a winning solution to this problem.

Mr. HOAGLAND. Mr. Chairman, I am pleased to give support to H.R. 5677, the Labor, HHS, Education and related agencies appropriations bill for fiscal year 1993. The bill contains vital funding for the Job Training and Partnership Act.

In May, I testified before Chairman NATCHER's subcommittee on the important role JTPA plays in Nebraska and the need to restore the funding cuts proposed for this program by the President in his budget submitted to Congress. I am pleased to see that the Appropriations Committee agreed with my view that the President's request was shortsighted.

The bill before us today provides \$4.2 billion for the 1993 program year, an increase of \$77 million over the President's request. These funds will help JTPA fulfill its mandate of helping the untrained and the undertrained find meaningful long-term employment.

I want to highlight the Gateway Program in Omaha, NE, a JTPA-funded program. This innovative concept was created by the Omaha Housing Authority, in conjunction with Job Training of Greater Omaha, Metropolitan Community College, and the Omaha business community, to help residents of Omaha's public housing gain design, carpentry, and management skills that they can use to seek permanent employment. They have created a shop to construct doors, windows, and screen products for use by the Omaha Housing Authority and for sale to other housing authorities across the country. Job Training of Greater Omaha is providing on-the-job training services to program participants in the shop and providing up to 50 percent of the salaries of the workers during the training period.

Omaha's Gateway Program is a good example of how a consortium of organizations and a melding of funding can come together and provide training and hope to people who need just a little support to get started. This program may not have a future unless Congress provides adequate funding for JTPA. I urge Members to support the bill and commend Chairman NATCHER and the committee for recognizing the county's job training needs in this time of tight budgetary limits.

Mr. PURSELL. Mr. Chairman, I yield back the balance of my time.

□ 1040

Mr. NATCHER. Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open for amendment at any point.

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

There was no objection.

The text of the bill is as follows:

H.R. 5677

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1993, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION PROGRAM ADMINISTRATION

For expenses of administering employment and training programs and for carrying out section 908 of the Social Security Act, \$76,952,000, together with not to exceed \$55,078,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

TRAINING AND EMPLOYMENT SERVICES

For expenses necessary to carry into effect the Job Training Partnership Act, as amended, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act, \$4,060,578,000, plus reimbursements, to be available for obligation for the period July 1, 1993, through June 30, 1994, of which \$62,370,000 shall be for carrying out section 401, \$76,868,000 shall be for carrying out section 402, \$9,029,000 shall be

for carrying out section 441, \$1,485,000 shall be for the National Commission for Employment Policy, and \$3,861,000 shall be for service delivery areas under section 101(a)(4)(A)(iii) of the Job Training Partnership Act in addition to amounts otherwise provided under sections 202 and 252(b) of the Act; and, in addition, \$60,288,000 is appropriated for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers, as authorized by the Job Training Partnership Act, in addition to amounts otherwise provided herein for the Job Corps, to be available for obligation for the period July 1, 1993 through June 30, 1996; and, in addition, \$50,000,000 is appropriated for Clean Air Employment Transition Assistance under part B of title III of the Job Training Partnership Act, to be available for obligation for the period July 1, 1993 through June 30, 1994; and, in addition, \$12,870,000 is appropriated for activities authorized by title VII, subtitle C of the Stewart B. McKinney Homeless Assistance Act: *Provided*, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

For expenses necessary for the acquisition, construction, rehabilitation and equipping of facilities at two new Job Corps centers, including all necessary expenses incident thereto, \$30,000,000, as authorized by the Job Training Partnership Act, to be available for obligation for the period July 1, 1993 through June 30, 1998.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, \$305,159,000.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, \$86,071,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of benefits and payments as authorized by title II of Public Law 95-250, as amended, and of trade adjustment benefit payments and allowances under part I, and for training, for allowances for job search and relocation, and for related State administrative expenses under part II, subchapter B, chapter 2, title II of the Trade Act of 1974, as amended, \$211,250,000 together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year: *Provided*, That amounts received or recovered pursuant to section 208(e) of Public Law 95-250 shall be available for payments.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For activities authorized by the Act of June 6, 1933, as amended (29 U.S.C. 49-49l-1; 39 U.S.C. 3202(a)(1)(E)); title III of the Social Security Act, as amended (42 U.S.C. 502-504); necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, and sections 225, 231-235 and 243-244, title II of the Trade Act of 1974, as amended; as authorized by section 7c of the Act of June 6, 1933, as amended, necessary administrative expenses under sections 101(a)(15)(H), 212(a)(5)(A), (m)(2) and (3), (n)(1), and 218(g)(1), (2), and (3), and 258(c) of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.); necessary administrative expenses to carry out the Tar-

geted Jobs Tax Credit Program under section 51 of the Internal Revenue Code of 1986, and section 221(a) of the Immigration Act of 1990, \$23,638,000 together with not to exceed \$3,191,418,000 (including not to exceed \$2,080,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980, and including not to exceed \$500,000 which may be obligated in contracts with non-State entities for occupational and test research activities which benefit the Federal-State Employment Service System), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502-504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, shall be available for obligation by the States through December 31, 1993, except that funds used for automation acquisitions shall be available for obligation and expenditure by States through September 30, 1994; and of which \$21,620,000 together with not to exceed \$791,772,000 of the amount which may be expended from said trust fund shall be available for obligation for the period July 1, 1993, through June 30, 1994, to fund activities under section 6 of the Act of June 6, 1933, as amended, including the cost of penalty mail made available to States in lieu of allotments for such purpose, and of which \$338,908,000 shall be available only to the extent necessary for additional State allocations to administer unemployment compensation laws to finance increases in the number of unemployment insurance claims filed and claims paid or changes in a State law: *Provided*, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 1993 is projected by the Department of Labor to exceed 3.54 million, an additional \$30,000,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund.

**ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS**

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code and section 104(d) of Public Law 102-164, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 1994, \$665,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 1993, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

**LABOR-MANAGEMENT STANDARDS SALARIES AND EXPENSES**

For necessary expenses for Labor-Management Standards, \$26,220,000.

**PENSION AND WELFARE BENEFITS ADMINISTRATION SALARIES AND EXPENSES**

For necessary expenses for Pension and Welfare Benefits Administration, \$63,756,000.

**PENSION BENEFIT GUARANTY CORPORATION PENSION BENEFIT GUARANTY CORPORATION FUND**

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1993, for such Corporation: *Provided*, That not to exceed \$34,857,000 shall be available for administrative expenses of the Corporation: *Provided further*, That expenses of such Corporation in connection with the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

**EMPLOYMENT STANDARDS ADMINISTRATION SALARIES AND EXPENSES**

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$232,332,000, together with \$999,000 which may be expended from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshore and Harbor Workers' Compensation Act.

**SPECIAL BENEFITS (INCLUDING TRANSFER OF FUNDS)**

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, \$290,000,000 together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: *Provided*, That such sums as are necessary may be used for a demonstration project under section 8104 of title 5, United States Code, in which the Secretary may reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: *Provided further*, That balances of reimbursements from Federal Government agencies unobligated on September 30, 1992, shall remain available until expended for the payment of compensation, benefits, and expenses: *Provided further*, That in addition there shall be transferred from the Postal Service fund to this appropriation such sums as the Secretary of Labor determines to be the cost of administration for Postal Service employees through September 30, 1993: *Provided further*, That the Secretary may require that any person filing a notice of injury or a claim for benefits under Subchapter 5, U.S.C., Chapter 81, or under Subchapter 33,

U.S.C., 901, et seq. (the Longshore and Harbor Workers' Compensation Act, as amended), provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

**BLACK LUNG DISABILITY TRUST FUND (INCLUDING TRANSFER OF FUNDS)**

For payments from the Black Lung Disability Trust Fund, \$944,027,000, of which \$888,251,000, shall be available until September 30, 1994, for payment of all benefits as authorized by section 9501(d) (1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which \$29,726,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, and \$25,698,000 for transfer to Departmental Management, Salaries and Expenses, and \$352,000 for transfer to Departmental Management, Office of Inspector General, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5)(A) of that Act: *Provided*, That in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period subsequent to June 15 of the current year: *Provided further*, That in addition such amounts shall be paid from this fund into miscellaneous receipts as the Secretary of the Treasury determines to be the administrative expenses of the Department of the Treasury for administering the fund during the current fiscal year, as authorized by section 9501(d)(5)(B) of that Act.

**OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES**

For necessary expenses for the Occupational Safety and Health Administration, \$287,100,000, including not to exceed \$68,927,000, which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: *Provided further*, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

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

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

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

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

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

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

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

#### MINE SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$191,930,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

#### BUREAU OF LABOR STATISTICS SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$276,210,000, together with not to exceed \$49,301,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

#### DEPARTMENTAL MANAGEMENT SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of five sedans, and including up to \$4,238,000 for the President's Committee on Employment of People With Disabilities, \$143,291,000, together with not to exceed \$329,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

#### WORKING CAPITAL FUND

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

#### ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$187,308,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 2001-10 and 2021-26.

#### OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$46,827,000, together with not to exceed \$4,313,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

#### GENERAL PROVISIONS

SEC. 101. Appropriations in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts available for salaries and expenses shall be available for supplies, services, and rental of conference space within the District of Columbia, as the Secretary of Labor shall deem necessary for settlement of labor-management disputes.

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

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

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

SEC. 105. The Secretary of Labor is authorized to accept, in the name of the Department of Labor, and employ or dispose of in furtherance of authorized activities of the Department of Labor, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

This title may be cited as the "Department of Labor Appropriations Act, 1993."

#### TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### HEALTH RESOURCES AND SERVICES ADMINISTRATION

##### HEALTH RESOURCES AND SERVICES

For carrying out titles III, VII, VIII, X, XII, XIX, XXVI, and XXVII of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, Public Law 101-527, Public Law 100-579, and the Native Hawaiian Health Care Act of 1988, \$2,416,508,000, of which \$414,000 shall remain available until expended for interest subsidies on loan guarantees made

prior to fiscal year 1981 under part B of title VII of the Public Health Service Act: *Provided*, That when the Department of Health and Human Services administers or operates an employee health program for any Federal department or agency, payment for the full estimated cost shall be made by way of reimbursement or in advance to this appropriation: *Provided further*, That user fees authorized by 31 U.S.C. 9701 may be credited to appropriations under this heading, notwithstanding 31 U.S.C. 3302: *Provided further*, That of the funds made available under this heading, \$990,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center.

##### MEDICAL FACILITIES GUARANTEE AND LOAN FUND FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, \$10,900,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

##### HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

For the cost of guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the total loan principal any part of which is to be guaranteed at not to exceed \$290,000,000. In addition, for administrative expenses to carry out the guaranteed loan program, \$2,970,000.

##### VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

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

##### VACCINE INJURY COMPENSATION

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

##### CENTERS FOR DISEASE CONTROL

##### DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles III, VII, XI, XV, XVII, XIX, and XXVII of the Public Health Service Act, sections 101, 102, 103, 201, 202, and 203 of the Federal Mine Safety and Health Act of 1977, and sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, \$1,619,167,000, of which \$6,930,000 shall remain available until expended for equipment and construction and renovation of facilities, and in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: *Provided*, That training of private per-

sons shall be made subject to reimbursement or advances to this appropriation for not in excess of the full cost of such training: *Provided further*, That funds appropriated under this heading shall be available for payment of the costs of medical care, related expenses, and burial expenses hereafter incurred by or on behalf of any person who had participated in the study of untreated syphilis initiated in Tuskegee, Alabama, in 1932, in such amounts and subject to such terms and conditions as prescribed by the Secretary of Health and Human Services and for payment, in such amounts and subject to such terms and conditions, of such costs and expenses hereafter incurred by or on behalf of such person's wife or offspring determined by the Secretary to have suffered injury or disease from syphilis contracted from such person: *Provided further*, That amounts received by the National Center for Health Statistics from reimbursable and interagency agreements and the sale of data tapes may be credited to this appropriation and shall remain available until expended: *Provided further*, That in addition to amounts provided herein, up to \$29,106,000 shall be available from amounts available under section 2711 of the Public Health Service Act, to carry out the National Center for Health Statistics surveys: *Provided further*, That employees of the Public Health Service, both civilian and Commissioned Officer, detailed to States or municipalities as assignees under authority of section 214 of the Public Health Service Act in the instance where in excess of 50 percent of salaries and benefits of the assignee is paid directly or indirectly by the State or municipality, and employees of the National Center for Health Statistics, who are assisting other Federal organizations on data collection and analysis and whose salaries are fully reimbursed by the organizations requesting the services, shall be treated as non-Federal employees for reporting purposes only.

#### NATIONAL INSTITUTES OF HEALTH

##### NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, \$1,998,616,000.

##### NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out sections 301 and 1105 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$1,228,455,000.

##### NATIONAL INSTITUTE OF DENTAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, \$163,269,000.

##### NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney diseases, \$688,633,000.

##### NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, \$605,100,000.

##### NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, \$990,055,000.

#### NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, \$842,229,000.

#### NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, \$534,094,000.

#### NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, \$279,102,000.

#### NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311, and title IV of the Public Health Service Act with respect to environmental health sciences, \$255,115,000.

#### NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, \$402,218,000.

#### NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis, and musculoskeletal and skin diseases, \$214,619,000.

#### NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, \$153,466,000.

#### NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, \$314,351,000: *Provided*, That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants.

#### NATIONAL CENTER FOR NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, \$47,363,000.

#### NATIONAL CENTER FOR HUMAN GENOME RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, \$107,217,000.

#### JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, \$20,133,000.

#### NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, \$105,024,000.

#### OFFICE OF THE DIRECTOR

##### (INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, \$191,917,000: *Provided*, That funding shall be available for the purchase of not to exceed five passenger motor vehicles for replacement only: *Provided further*, That the Director may direct up to 1 percent of the total amount made available in this Act to all National Institutes of Health appropriations to emergency activities the Director may so designate: *Provided further*, That no such appropriation shall be increased or de-

creased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer.

#### BUILDINGS AND FACILITIES

For construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, \$70,090,000, to remain available until expended.

#### ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

##### ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

For carrying out the Public Health Service Act with respect to mental health, drug abuse, alcohol abuse, and alcoholism, and section 612 of Public Law 100-77, as amended, and the Protection and Advocacy for Mentally Ill Individuals Act of 1986, \$3,099,902,000, of which \$3,940,000 for renovation of government owned or leased intramural research facilities shall remain available until expended: *Provided*, That none of the funds appropriated under this heading may be used to implement the provisions of section 706(e) of the ADAMHA Reorganization Act, Public Law 102-321.

#### ASSISTANT SECRETARY FOR HEALTH

##### OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH

For the expenses necessary for the Office of Assistant Secretary for Health and for carrying out titles III, XVII, XX, and XXI of the Public Health Service Act, \$63,171,000, and, in addition, amounts received by the Public Health Service from Freedom of Information Act fees, reimbursable and interagency agreements and the sale of data tapes shall be credited to this appropriation and shall remain available until expended.

#### RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

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

#### CAPITAL IMPROVEMENT FUND

##### (TRANSFER OF FUNDS)

For construction of, acquisition of equipment for, and repairs and improvements of, facilities of or used by the Public Health Service, such sums as may be derived by transferring one percentum of the amount appropriated in this Act from each account in the Public Health Service for which payments are not mandated by law: *Provided*, That these funds shall remain available until expended.

#### AGENCY FOR HEALTH CARE POLICY RESEARCH

##### HEALTH CARE POLICY RESEARCH

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, \$99,668,000 together with not to exceed \$4,831,000 to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 1142 of the Social Security Act and not to exceed \$1,002,000 to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; and, in addition,

amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: *Provided*, That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed \$13,310,000.

#### HEALTH CARE FINANCING ADMINISTRATION GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act and section 4360 of Public Law 101-508, \$67,311,234,000, to remain available until expended.

For making, after May 31, 1993, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1993 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1994, \$24,600,000,000, to remain available until expended.

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

#### PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$43,963,192,000.

#### PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, and XIX of the Social Security Act, and title XIII of the Public Health Service Act, the Clinical Laboratory Improvement Amendments of 1988, section 4360 of Public Law 101-508, and section 4005(e) of Public Law 100-203, not to exceed \$1,985,497,000 to be transferred to this appropriation as authorized by section 201(g) of the Social Security Act, from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds: *Provided*, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act are to be credited to this appropriation: *Provided further*, That funds in the Federal Supplementary Medical Insurance catastrophic coverage reserve fund are transferred to the Federal Hospital Insurance Trust Fund: *Provided further*, That none of the funds available under this heading shall be used to issue, mail, or otherwise transmit payments under title XVIII of the Social Security Act, other than Periodic Interim Payments, in less than fourteen days after the receipt of an electronic claim, or in less than twenty-seven days after receipt of a paper claim: *Provided further*, That interest on unpaid claims shall begin to accrue on the thirtieth day after receipt of a claim.

#### SURVEY AND CERTIFICATION FUND

There is hereby established in the Treasury of the United States a Health Care Financing Administration Survey and Certification Fund. Amounts in the Fund shall be available to the Secretary, without fiscal year limitation, to finance the costs of carrying out Federal and State survey and cer-

tification activities under titles XVIII and XIX of the Social Security Act and activities under section 353 of the Public Health Service Act (42 U.S.C. 263a). Fees authorized by this paragraph and section 353(m) of the Public Health Service Act shall be deposited in and credited to the Fund. Notwithstanding any other provision of law, the Secretary shall annually establish and collect fees from all providers and suppliers of services or items subject to a requirement for certification under titles XVIII or XIX of the Social Security Act (except clinical laboratories otherwise inspected and certified under section 353 of the Public Health Service Act) and payment thereof shall be made a condition of participation under said titles. Such fees shall be determined annually in amounts sufficient to cover the estimated full cost of survey and certification activities not otherwise covered by fees collected pursuant to section 353(m) of the Public Health Service Act. These fees shall be collected annually from each provider or supplier, regardless of whether the provider or supplier will be surveyed in the year for which the fees are being charged. Fees may be collected through deductions from payments to be made under titles XVIII and XIX of the Social Security Act. Fees established under this paragraph and section 353(m) of the Public Health Service Act shall be set and collected to maintain a minimum balance in the Fund equal to one month's estimated expenses.

These fees shall be assessed and collected solely to cover the costs of Federal and State survey and certification activities under titles XVIII and XIX of the Social Security Act and activities under section 353 of the Public Health Service Act (42 U.S.C. 263a). Fees may be assessed and collected under this account only in such manner as may reasonably be expected to result in an aggregate amount of fees collected during any fiscal year which does not exceed the aggregate amount of survey and certification costs for such fiscal year. Entities subject to such fees shall include only those providers and suppliers of services or items subject to a requirement for certification under titles XVIII or XIX of the Social Security Act (except clinical laboratories otherwise inspected and certified under section 353 of the Public Health Service Act). The fees assessed on providers may vary by group or classification of provider or supplier, or by the relative complexity, type, or estimated cost of planned surveys, based on such considerations as the Secretary deems appropriate, and shall be structured in such a manner so that the liability of any group of providers for such fees is reasonably based on the proportion of the survey and certification activities which relate to such providers and must be non-discriminatory between foreign and domestic entities.

#### HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, \$13,800,000 together with any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 1993, no commitments for direct loans or loan guarantees shall be made.

#### SOCIAL SECURITY ADMINISTRATION

##### PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disabil-

ity Insurance Trust Funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, \$35,242,000.

##### SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, including for fiscal year 1993 and thereafter the payment of travel expenses on an actual cost or commuted basis, to an individual, for travel incident to medical examinations, and when travel of more than 75 miles is required, to parties, their representatives, and all reasonably necessary witnesses for travel within the United States, Puerto Rico and the Virgin Islands, to reconsideration interviews and to proceedings before administrative law judges, \$601,313,000, to remain available until expended: *Provided*, That monthly benefit payments for fiscal year 1993 and thereafter shall be paid consistent with section 215(g) of the Social Security Act.

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

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 1994, \$196,000,000, to remain available until expended.

##### SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$15,994,773,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

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

For carrying out title XVI of the Social Security Act for the first quarter of fiscal year 1994, \$7,150,000,000, to remain available until expended.

##### LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, not more than \$4,652,150,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: *Provided*, That for fiscal year 1993 and thereafter, travel expense payments under section 1631(h) of such Act for travel to hearings may be made only when travel of more than seventy-five miles is required: *Provided further*, That for fiscal year 1993 the Secretary shall assess and collect a fee from States having agreements pursuant to section 1616(a) of the Social Security Act with the Secretary for the Federal administration of State payments in supplementation of Supplemental Security Income payments in the amount of 1.67 percent of the dollar amount of such State supplementary payments, notwithstanding said agreements. Said fee amount shall be determined by the Secretary for any month in the fiscal year for which the Secretary will provide Federal administration of the State supplementary payments by multiplying by 1.67 percent the monthly estimate of State supplementary payments required from a

State for payment by the Secretary in that month. The fee amount resulting from such multiplication shall be included in, and be part of, the monthly estimate of State supplementary payments provided by the Secretary to a State. A State shall thereafter pay the fee amount to the Secretary in the amount determined by the Secretary together with, and as part of, the amount paid to the Secretary each month in the fiscal year which represents the federally administered State supplementary payments. Fee amounts collected from the States shall be credited to this account and shall be available in fiscal year 1993 or if collected thereafter, in the fiscal year so collected.

#### ADMINISTRATION FOR CHILDREN AND FAMILIES FAMILY SUPPORT PAYMENTS TO STATES

For making payments to States or other non-Federal entities, except as otherwise provided, under titles I, IV-A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act, and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$11,441,950,000, to remain available until expended.

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

For making payments to States or other non-Federal entities under titles I, IV-A (other than section 402(g)(6)) and D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9) for the first quarter of fiscal year 1994, \$4,000,000,000 to remain available until expended.

#### PAYMENTS TO STATES FOR AFDC WORK PROGRAMS

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

#### LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$891,000,000.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, an additional \$600,000,000: *Provided*, That all funds available under this paragraph are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985.

#### REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96-422), \$321,750,000.

#### INTERIM ASSISTANCE TO STATES FOR LEGALIZATION

Section 204(a)(1)(C) of the Immigration Reform and Control Act of 1986 is amended by inserting after "1993": "and 1994 combined", and by adding before the period: "": *Provided*, That \$561,245,619 of these funds shall be available in fiscal year 1993".

#### COMMUNITY SERVICES BLOCK GRANT

For making payments under the Community Services Block Grant Act and the Stewart

McKinney Homeless Assistance Act, \$394,710,000, of which \$25,415,000 shall be for carrying out section 681(a) of the Community Services Block Grant Act, \$2,005,000 shall be for carrying out section 408 of Public Law 99-425, and of which \$3,465,000 shall be for carrying out section 681A of said Act with respect to the community food and nutrition program.

#### PAYMENTS TO STATES FOR CHILD CARE ASSISTANCE

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981, \$841,500,000, which shall be available for obligation under the same statutory terms and conditions applicable in the prior fiscal year.

#### SOCIAL SERVICES BLOCK GRANT

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

#### CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the State Dependent Care Development Grants Act, the Head Start Act, the Child Development Associate Scholarship Assistance Act of 1985, the Child Abuse Prevention and Treatment Act, chapters 1 and 2 of subtitle B of title III of the Anti-Drug Abuse Act of 1988, the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of Public Law 95-266 (adoption opportunities), the Temporary Child Care for Children with Disabilities and Crisis Nurseries Act of 1986, the Comprehensive Child Development Act, the Abandoned Infants Assistance Act of 1988, sections 933 and 934(d) of Public Law 101-501, subtitle F of title VII of the Stewart B. McKinney Homeless Assistance Act, section 10404 of Public Law 101-239 (volunteer senior aides demonstration) and part B of title IV and section 1110 of the Social Security Act, and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, section 204 of the Immigration Reform and Control Act of 1986, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, Public Law 100-77, and section 126 and titles IV and V of Public Law 100-485, \$3,602,262,000.

#### PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For carrying out part E of title IV of the Social Security Act, \$2,988,668,000.

#### ADMINISTRATION ON AGING

#### AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, \$838,228,000.

#### OFFICE OF THE SECRETARY

#### GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six medium sedans, \$91,159,000, together with \$30,252,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

#### OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as

amended, \$61,901,000, together with not to exceed \$37,027,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

#### OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$18,635,000, together with not to exceed \$3,917,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from any one or all of the trust funds referred to therein.

#### POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, \$8,415,000: *Provided*, That not less than \$3,350,000 shall be obligated to continue research on poverty.

#### GENERAL PROVISIONS

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

SEC. 202. Appropriations in this or any other Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts shall be available for expenses for active commissioned officers in the Public Health Service Reserve Corps and for not to exceed 2,800 commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; advances of funds for compensation, travel, and subsistence expenses (or per diem in lieu thereof) for persons coming from abroad to participate in health or scientific activities of the Department pursuant to law; expenses of primary and secondary schooling of dependents in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents, between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; expenses for medical care for civilian and commissioned employees of the Public Health Service and their dependents assigned abroad on a permanent basis in accordance with such regulations as the Secretary may provide; rental or lease of living quarters (for periods not exceeding five years), and provision of heat, fuel, and light and maintenance, improvement, and repair of such quarters, and advance payments therefor, for civilian officers and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Public Health Service Act, at rates established by the Assistant Secretary for Health, or the Secretary where such action is required by statute, not to exceed the per

dium rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376.

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

SEC. 204. Funds advanced to the National Institutes of Health Management Fund from appropriations in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts shall be available for the expenses of sharing medical care facilities and resources pursuant to section 327A of the Public Health Service Act.

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

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

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

SEC. 208. Funds provided in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts may be used for one-year contracts which are to be performed in two fiscal years, so long as the total amount for such contracts is obligated in the year for which the funds are appropriated.

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

SEC. 210. For the purpose of insuring proper management of federally supported computer systems and data bases, funds appropriated by this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts are available for the purchase of dedicated telephone service between the private residences of employees assigned to computer centers funded under this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts, and the computer centers to which such employees are assigned.

SEC. 211. None of the funds appropriated by this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts shall be used to pay for any research program or project or any program, project, or course which is of an experimental nature, or any other activity involving human participants, which is determined by the Secretary or a court of competent jurisdiction to present a danger to the physical, mental, or emotional well-being of a participant or

subject of such program, project, or course, without the written, informed consent of each participant or subject, or a participant's parents or legal guardian, if such participant or subject is under eighteen years of age. The Secretary shall adopt appropriate regulations respecting this section.

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

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

SEC. 214. For any program funded in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts, the Secretary of Health and Human Services is authorized, when providing services or conducting activities for a State with respect to such program for which the Secretary is entitled to reimbursement by the State, to obtain such reimbursement as an offset against Federal payments to which the State would otherwise be entitled under such program from funds appropriated for the same or any subsequent fiscal year. Such offsets shall be credited to the appropriation account which bore the expense of providing the service or conducting the activity, and shall remain available until expended.

SEC. 215. Hereafter, States, as defined for purposes of title XIX of the Social Security Act, and political subdivisions, as defined in section 218(b)(2) of the Act, which accept funds or data from the Department of Health and Human Services shall transmit, without charge and in such form and with such frequency as required by the Secretary—

(1) in order to carry out section 205(r) of the Social Security Act, data on the deaths occurring within the State, and

(2) data on each individual within the State awarded workers' compensation, including name, social security number and award amount.

Such information may be made available to Federal benefit-paying agencies, or to such agencies of States or political subdivisions, subject to such privacy safeguards as are determined necessary or appropriate to protect the information from inappropriate use or disclosure and subject to such provisions for payment as deemed necessary to reimburse the Secretary for reasonable costs incurred in providing such information.

SEC. 216. Not to exceed \$489,000,000 may be obligated in fiscal year 1993 for contracts with Utilization and Quality Control Peer Review Organizations pursuant to part B of Title XI of the Social Security Act.

SEC. 217. None of the funds appropriated under this Act may be used to implement the provisions of section 571(h) of the Public Health Service Act.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 1993".

## TITLE III—DEPARTMENT OF EDUCATION

## COMPENSATORY EDUCATION FOR THE DISADVANTAGED

For carrying out the activities authorized by chapter 1 of title I of the Elementary and Secondary Education Act of 1965, as amended, and by section 418A of the Higher Education Act, \$6,759,924,000, of which \$6,729,655,000 shall become available on July 1, 1993 and shall remain available through September 30, 1994: *Provided*, That \$5,469,750,000 shall be available for basic grants under section 1005 excluding subsection (a)(3), \$702,900,000 shall be available for concentration grants under section 1006, \$39,653,000 shall be available for capital expenses under section 1017, \$89,100,000 shall be available for the Even Start program under part B, \$305,215,000 shall be available for migrant education activities under subpart 1 of part D, \$35,693,000 shall be available for delinquent and neglected education activities under subpart 3 of part D, \$61,202,000 shall be for State administration under section 1404, \$26,142,000 shall be for program improvement activities under section 1405, \$14,850,000 shall be for evaluation and technical assistance under sections 1437 and 1463, and \$4,950,000 shall be for rural technical assistance under section 1459: *Provided further*, That no State shall receive less than \$340,000 from the amounts made available under this appropriation for concentration grants under section 1006: *Provided further*, That no State shall receive less than \$375,000 from the amounts made available under this appropriation for State administration grants under section 1404: *Provided further*, That the number of children counted for section 1006(a) shall be the same as counted for 1993 section 1005 basic grants.

## IMPACT AID

For carrying out programs of financial assistance to federally affected schools as authorized by Public Laws 81-815 and 81-874, as amended, \$763,981,000, of which \$500,000,000 is designated for defense purposes related to the impact of significant troop relocations to the United States: *Provided*, That \$566,767,000 shall be for payments under section 3(a), \$123,380,000 shall be for payments under section 3(b), \$29,700,000, to remain available until expended, shall be for payments under section 3(d)(2)(B), \$16,424,000 shall be for payments under section 2, and \$27,710,000, to remain available until expended, shall be for construction and renovation of school facilities, including \$11,870,000 for awards under section 10, \$9,900,000 for awards under sections 14(a) and 14(b), and \$5,940,000 for awards under sections 5 and 14(c): *Provided further*, That of the amount appropriated to carry out section 3(a) of Public Law 81-874, \$10,000,000 shall be available for payments to any local educational agency: (1) that, by October 30, 1992, submits to the Secretary written information, certified by the State educational agency, demonstrating that, for the school year 1990-1991, it had a local tax effort for current expenditures and an average current expenditure per pupil, both of which exceeded the State average; and (2) for which at least 30 percent of the number of children to whom the local educational agency provided a free public education in the school year 1991-1992 were children counted under section 3(a)(2) of such Act, each of whom had a parent who was on active duty in the uniformed services, provided that the payment to each local educational agency that qualifies for such a payment shall bear the same relation to \$10,000,000 as the difference between such agency's entitlement under sec-

tion 3(a) of Public Law 81-874 for fiscal year 1991 and its payment under such section bears to the total of such differences for all such agencies: *Provided further*, That all payments under section 3 shall be based on the number of children who, during the prior fiscal year, were in average daily attendance at the schools of a local educational agency and for whom such agency provided free public education, except that (1) any local educational agency that did not exist in the prior fiscal year and that would be eligible under this proviso for payments under section 3 for the current fiscal year had it been an operating local educational agency in the prior fiscal year, shall be paid on the basis of the number of children who, during the current fiscal year, are in average daily attendance at the schools of such agency and for whom such agency provides free public education; and (2) any local educational agency with an increase of 5 percent or more from the prior fiscal year to the current fiscal year in the number of children described in section 3(a) of the Act, as a direct result of activities of the United States, and that submits a written request to the Secretary, shall be paid on the basis of the number of children who, during the current fiscal year, are in average daily attendance at the schools of such agency and for whom such agency provides free public education: *Provided further*, That notwithstanding the provisions of section 3(d)(3)(A), aggregate current expenditure and average daily attendance data for the third preceding fiscal year shall be used to compute local contribution rates: *Provided further*, That notwithstanding the provisions of section 3(d)(2)(B), 3(d)(3)(B)(i), and 3(h)(2), eligibility and entitlement determinations for those sections shall be computed on the basis of data from the fiscal year preceding each fiscal year described in those respective sections for fiscal year 1991.

#### SCHOOL IMPROVEMENT PROGRAMS

For carrying out the activities authorized by chapter 2 of title I and titles II, III, IV, V, without regard to sections 5112(a) and 5112(c)(2)(A), and VI of the Elementary and Secondary Education Act of 1965; the Stewart B. McKinney Homeless Assistance Act; the Civil Rights Act of 1964; title V of the Higher Education Act; title IV of Public Law 100-297; and the Follow Through Act; \$1,557,855,000, of which \$1,237,463,000 shall be available on July 1, 1993, and remain available through September 30, 1994: *Provided*, That of the amount appropriated, \$20,691,000 shall be for national programs under part B of chapter 2 of title I, \$24,750,000 shall be for emergency grants under section 5136, \$245,520,000 shall be for State grants for mathematics and science education under part A of title II of the Elementary and Secondary Education Act of 1965, and \$500,000 shall be for an evaluation study of the magnet schools assistance program.

#### BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, title VII and part D of title IV of the Elementary and Secondary Education Act, \$231,308,000 of which \$35,996,000 shall be for training activities under part C of title VII.

#### SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act and title I, chapter 1, part D, subpart 2 of the Elementary and Secondary Education Act of 1965, \$2,920,103,000, of which \$2,052,567,000 for section 611, \$316,800,000 for section 619, \$178,794,000 for section 685 and \$127,413,000 for title I, chapter 1,

part D, subpart 2 shall become available for obligation on July 1, 1993, and shall remain available through September 30, 1994.

#### REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, Public Law 100-407, and the Helen Keller National Center Act, as amended, \$2,125,385,000, of which \$20,103,000 shall be for special demonstration programs under section 311 (a), (b), and (c).

#### SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

##### AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), \$6,286,000, of which \$200,000 is available for a national comprehensive listing system only to the extent that the Printing House matches these funds with an equal amount from non-Federal sources.

##### NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles II and IV of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$39,045,000, of which \$339,000 shall be for the endowment program as authorized under section 408 and shall be available until expended.

##### GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and IV of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$75,774,000, of which \$990,000 shall be for the endowment program as authorized under section 407 and shall be available until expended, and \$2,475,000 shall be for construction and shall be available until expended.

#### VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Applied Technology Education Act, the Adult Education Act, and the Stewart B. McKinney Homeless Assistance Act, \$1,509,016,000 of which \$2,970,000 for the national assessment of vocational education and \$2,970,000 for tribally controlled post-secondary vocational institutions shall become available on October 1, 1992 and the remainder shall become available on July 1, 1993 and shall remain available through September 30, 1994: *Provided*, That of the amounts made available under the Carl D. Perkins Vocational and Applied Technology Education Act, \$430,000 of the amount available for Tech-Prep shall be for evaluation of the program and \$37,125,000 shall be for national programs under title IV, including \$11,385,000 for research, of which \$5,940,000 shall be for the National Center for Research on Vocational Education; \$15,840,000 for demonstrations, notwithstanding section 411(b); and \$9,900,000 for data systems: *Provided further*, That of the amounts made available under the Adult Education Act, \$990,000 shall be available only for demonstration programs under section 372(d), \$3,960,000 shall be for national programs under section 383, \$4,950,000 shall be for the National Institute for Literacy under section 384, \$7,920,000 shall be for State Literacy Resource Centers under the National Literacy Act of 1991, and \$4,950,000 shall be for prison literacy activities as authorized under section 601 of the National Literacy Act of 1991, as amended by Public Law 102-103.

#### STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 2, and 3 of part A, and parts C and E of title IV of the Higher

Education Act, as amended, \$8,101,170,000: *Provided*, That the maximum Pell grant for which a student shall be eligible during award year 1993-1994 shall not exceed \$2,300: *Provided further*, That notwithstanding section 479A of the Higher Education Act of 1965, as amended, student financial aid administrators shall be authorized, on the basis of adequate documentation, to make necessary adjustments to the cost of attendance and the expected student or parent contribution (or both) and to use supplementary information about the financial status or personal circumstances of eligible applicants only for purposes of selecting recipients and determining the amount of awards under subpart 2 of part A, and parts B, C, and E of title IV of the Act: *Provided further*, That notwithstanding section 411F(1) of the Higher Education Act of 1965, as amended, the term "annual adjusted family income" shall, under special circumstances prescribed by the Secretary, mean the sum received in the first calendar year of the award year from the sources described in that section: *Provided further*, That notwithstanding section 411(b)(6) of the Higher Education Act of 1965, no Pell grant for award year 1993-1994 shall be awarded to any student who is attending an institution of higher education on a less than half-time basis: *Provided further*, That notwithstanding section 484(f) of the Higher Education Act of 1965, the Secretary may, without limitation, require an institution of higher education to verify the accuracy of data used to determine student eligibility for assistance under title IV of that Act for award year 1993-1994: *Provided further*, That the Secretary may implement as expeditiously as possible those provisions of the Higher Education Amendments of 1992 which are intended to reduce cost or enhance integrity so that any resulting savings may be applied to the accumulated shortfall in Pell grant funding for fiscal year 1992.

#### GUARANTEED STUDENT LOANS PROGRAM ACCOUNT

For the cost of guaranteed loans, including administrative costs other than Federal administrative costs, as authorized by title IV, part B, of the Higher Education Act, as amended, such sums as may be necessary to carry out the purposes of the program: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended. In addition, for Federal administrative expenses to carry out the guaranteed student loans program, authorized by title IV, part B, of the Higher Education Act, as amended, \$64,350,000.

#### HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles I, III, IV, V, VI, VII, VIII, IX, X, XI-B, and XII of the Higher Education Act of 1965, as amended, the Mutual Educational and Cultural Exchange Act of 1961, the Excellence in Mathematics, Science and Engineering Education Act of 1990, including activities under title VI part C, and title XIII, part H, subpart 1 of the Education Amendments of 1980, \$831,408,000 of which \$7,425,000 for endowment activities under section 332 of part C of title III and \$18,652,000 for interest subsidies under title VII of the Higher Education Act, as amended, shall remain available until expended and \$9,504,000 shall be available for the Ronald E. McNair Post-Baccalaureate Achievement program: *Provided*, That \$9,546,000 provided herein for carrying out subpart 6 of part A of title IV shall be available notwithstanding sections 419G(b) and 419I(a) of the Higher Education

Act of 1965 (20 U.S.C. 1070d-37(b) and 1070d-39(a)): *Provided further*, That \$1,435,000 of the amount provided herein for subpart 4 of part A of title IV of the Higher Education Act shall be for an evaluation of Special Programs for the Disadvantaged.

#### HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), \$195,278,000, of which \$3,378,000, to remain available until expended, shall be for a matching endowment grant to be administered in accordance with the Howard University Endowment Act (Public Law 98-480), and \$6,435,000, to remain available until expended, shall be for emergency construction needs and shall only become available if such funds are fully matched by the University.

#### HIGHER EDUCATION FACILITIES LOANS

The Secretary is hereby authorized to make such expenditures, within the limits of funds available under this heading and in accord with law, and to make such contracts and commitments without regard to fiscal year limitation, as provided by section 104 of the Government Corporation Control Act (31 U.S.C. 9104), as may be necessary in carrying out the program for the current fiscal year. For the fiscal year 1993, no new commitments for loans may be made from the fund established pursuant to title VII, section 733 of the Higher Education Act, as amended (20 U.S.C. 1132d-2).

#### COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For the costs of direct loans, as authorized by title VII, part F, of the Higher Education Act, as amended, \$2,997,000: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 and that these funds are available to subsidize gross obligations for the principal amount of direct loans of not to exceed \$29,700,000: *Provided further*, That obligated balances of these appropriations will remain available until expended, notwithstanding the provisions of 31 U.S.C. 1552(a), as amended by Public Law 101-510. In addition, for administrative expenses to carry out the direct loan program of college housing and academic facilities loans entered into pursuant to title VII, part F, of the Higher Education Act, as amended, \$733,000.

#### COLLEGE HOUSING LOANS

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

#### EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For carrying out the activities authorized by section 405 and section 406 of the General Education Provisions Act, as amended; section 1562, section 1566, section 2012, section 2016, and parts B, E, and F of title IV of the Elementary and Secondary Education Act of 1965, as amended; part B of title III of Public Law 100-297; title IX of the Education for Economic Security Act; section 6041 of Public Law 100-418; and title II of Public Law 102-62, \$275,013,000, of which \$25,047,000 shall

be for research centers; \$34,699,000 shall be for regional laboratories including \$9,900,000 for rural initiatives; \$7,103,000 shall be for the Educational Resources Information Center; \$966,000 shall be for field-initiated studies; \$62,964,000 shall be for education statistics; \$29,601,000 shall be for national assessment activities; \$23,562,000 shall be for activities under the Fund for Innovation in Education, including \$3,762,000 for civic education activities under section 4609; \$5,440,000 shall be for Grants for Schools and Teachers under subpart 1 and \$3,717,000 shall be for Family School Partnerships under subpart 2 of part B of title III of Public Law 100-297; \$14,553,000 shall be for national diffusion activities under section 1562; \$886,000 shall be for Blue Ribbon Schools under section 1566; \$15,840,000 shall be for national programs under section 2012, including \$3,465,000 for the National Clearinghouse for Science and Mathematics under section 2012(d); \$11,880,000 shall be for regional consortia under section 2016; \$9,635,000 shall be for Javits gifted and talented students education; \$18,228,000 shall be for star schools; \$4,191,000 shall be for educational partnerships; \$1,751,000 shall be for territorial teacher training; and \$2,475,000 shall be for the National Writing Project.

In addition to these amounts, \$4,831,000 shall be available for teaching standards activities as authorized by the Higher Education Amendments of 1992.

#### LIBRARIES

For carrying out, to the extent not otherwise provided, titles I, II, III, IV, V, and VI of the Library Services and Construction Act (20 U.S.C. ch. 16), and title II of the Higher Education Act, \$145,774,000, of which \$16,551,000 shall be used to carry out the provisions of title II of the Library Services and Construction Act and shall remain available until expended, and \$4,950,000 shall be for section 222 and \$322,000 shall be for section 223 of the Higher Education Act.

#### DEPARTMENTAL MANAGEMENT PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, \$305,799,000: *Provided*, That the Secretary may use funds appropriated to carry out any Department of Education program under which awards are made on a competitive basis to reimburse this account for the expenses of non-Federal experts to review applications and proposals for such awards.

#### OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$56,857,000.

#### OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$28,652,000.

#### GENERAL PROVISIONS

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

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

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

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

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

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

This title may be cited as the "Department of Education Appropriations Act, 1993".

#### TITLE IV—RELATED AGENCIES

##### ACTION

##### OPERATING EXPENSES

For expenses necessary for Action to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$201,502,000: *Provided*, That \$34,947,000 shall be available for title I, section 102, and \$990,000 shall be available for title I, part C.

##### CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 1995, \$272,250,000: *Provided*, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: *Provided further*, That none of the funds contained in this paragraph shall be available or

used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; and for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. chapter 71), \$30,195,000.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), \$5,772,000.

NATIONAL COMMISSION ON ACQUIRED IMMUNE DEFICIENCY SYNDROME

For expenses necessary for the National Commission on Acquired Immune Deficiency Syndrome as authorized by subtitle D of title II of Public Law 100-607, \$1,732,000.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345, as amended by Public Law 102-95), \$590,000.

WHITE HOUSE CONFERENCE ON LIBRARY AND INFORMATION SERVICES

For liquidating obligations incurred by the White House Conference on Library and Information Services, \$400,000.

NATIONAL COMMISSION ON RESPONSIBILITIES FOR FINANCING POSTSECONDARY EDUCATION

For necessary expenses of the National Commission on Responsibilities for Financing Postsecondary Education, as authorized by section 1321 of the Higher Education Amendments of 1986 (Public Law 99-498), \$208,000, to remain available until April 30, 1993.

NATIONAL COUNCIL ON DISABILITY SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, \$1,553,000.

NATIONAL LABOR RELATIONS BOARD SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$171,176,000: *Provided*, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance

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

NATIONAL MEDIATION BOARD SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$7,870,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For the expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), \$7,169,000.

PHYSICIAN PAYMENT REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1845(a) of the Social Security Act, \$4,451,000, to be transferred to this appropriation from the Federal Supplementary Medical Insurance Trust Fund.

PROSPECTIVE PAYMENT ASSESSMENT COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1886(e) of the Social Security Act, \$4,418,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$294,030,000, which shall include amounts becoming available in fiscal year 1993 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds \$294,030,000: *Provided*, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$100,000, to remain available through September 30, 1993, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board, \$75,240,000, to be derived from the railroad retirement accounts: *Provided*, That \$200,000 of the foregoing amount shall be available only to the extent necessary to process workloads not anticipated in the budget estimates and after maximum absorption of the costs of such workloads within the remainder of the existing limitation has been achieved: *Provided further*, That notwithstanding any other provision of law, no portion of this limitation shall be available for payments of standard level user charges pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j); 45 U.S.C. 231-231u).

LIMITATION ON RAILROAD UNEMPLOYMENT INSURANCE ADMINISTRATION FUND

For further expenses necessary for the Railroad Retirement Board, for administration of the Railroad Unemployment Insurance Act, not less than \$17,325,000 shall be apportioned for fiscal year 1993 from moneys credited to the railroad unemployment insurance administration fund.

SPECIAL MANAGEMENT IMPROVEMENT FUND

To effect management improvements, including the reduction of backlogs, accuracy of taxation accounting, and debt collection, \$3,720,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: *Provided*, That these funds shall supplement, not supplant, existing resources devoted to such operations and improvements.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than \$5,544,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOLDIERS' AND AIRMEN'S HOME OPERATION AND MAINTENANCE

For maintenance and operation of the United States Soldiers' and Airmen's Home, to be paid from the Armed Forces Retirement Home Trust Fund, \$40,938,000: *Provided*, That this appropriation shall not be available for the payment of hospitalization of members of the Home in United States Army hospitals at rates in excess of those prescribed by the Secretary of the Army upon recommendation of the Board of Commissioners and the Surgeon General of the Army.

CAPITAL OUTLAY

For construction and renovation of the physical plant, to be paid from the Armed Forces Retirement Home Trust Fund, \$4,178,000, to remain available until expended.

UNITED STATES INSTITUTE OF PEACE OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$10,890,000.

UNITED STATES NAVAL HOME OPERATION AND MAINTENANCE

For operation and maintenance of the United States Naval Home, to be paid from funds available to the Naval Home in the Armed Forces Retirement Home Trust Fund, \$9,954,000.

CAPITAL PROGRAM

For construction and renovation of the physical plant to be paid from funds available to the Naval Home in the Armed Forces Retirement Home Trust Fund, \$472,000, to remain available until expended.

TITLE V—GENERAL PROVISIONS

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

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

SEC. 503. Appropriations contained in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376.

SEC. 504. Appropriations contained in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts, available for salaries and expenses, shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

SEC. 505. Appropriations contained in this Act or subsequent Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts, available for salaries and expenses, shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

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

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

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

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

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient,

or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress.

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

SEC. 511. None of the funds appropriated under this Act shall be used to carry out any program of distributing sterile needles for the hypodermic injection of any illegal drug unless the President of the United States certifies that such programs are effective in stopping the spread of HIV and do not encourage the use of illegal drugs.

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1993".

The CHAIRMAN. The Chair will entertain points of order at this point against any provision in the bill.

Are there any points of order?

POINT OF ORDER

Mr. HALL of Texas. Mr. Chairman, I rise to make a point of order against the bill under House rule XXI(2)(b).

The CHAIRMAN. The gentleman will state his point of order.

Mr. HALL of Texas. The provisions of title II under the heading "Survey and Certification Fund"—found at page 31, line 22, through page 34 line 3—change existing law and as such violate the prohibition on reporting provisions changing existing law in an appropriations bill contained in House rule XXI(2)(b).

These provisions require that the Secretary of HHS establish and require certain Medicare and Medicaid providers to pay user fees in order to gain certification and as a condition of participation in those programs.

The provision is in direct contravention of current law. Section 1864(e) of title XVIII of the Social Security Act expressly prohibits the Secretary from establishing such fees.

Moreover, the provision creates a specific new requirement for participation in Medicare and Medicaid and describes in some detail the requirements that the Secretary of HHS shall meet in establishing this requirement.

Mr. Chairman, it is not easy to make this point of order, and I do so joining in the accolades for our friend, the gentleman from Michigan [Mr. PURSELL] and in respect for the gentleman from Kentucky [Mr. NATCHER] who stands alone in the line of punctuality in this body, and will forever and ever, but, Mr. Chairman, this provision con-

stitutes legislation on an appropriations bill and should be stricken from the bill.

Mr. NATCHER. Mr. Chairman, we concede the point of order.

The CHAIRMAN (Mr. SHARP). The point of order is conceded and sustained.

Are there further points of order?

POINT OF ORDER

Mr. STARK. Mr. Chairman, I, too, rise reluctantly to make a point of order that the provision on page 31, line 19 through line 21, constitutes legislation on an appropriations bill and therefore violates rule XXI, clause 2(b) of the House rules.

This provision would require the Department of Health and Human Services to delay payments to hospitals, physicians, and other health care providers.

This provision would supersede explicit statutory requirements regarding timeliness of payments by Medicare provided by sections 1816(c) and 1842(c) of the Social Security Act.

I understand the problems faced by our colleagues on the Committee on Appropriations and share their concerns. The delay of payments to providers by Medicare is not, unfortunately, an appropriate response to this situation.

Mr. NATCHER. Mr. Chairman, we concede the point of order.

The CHAIRMAN (Mr. SHARP). The point of order is conceded and sustained.

Are there further points of order?

POINT OF ORDER

Mrs. KENNELLY. Mr. Chairman, I make a point of order against the provision of the bill beginning on page 36, line 18, relating to the supplementation of SSI payments which changes existing law and constitutes legislation on an appropriation bill, in violation of rule XXI, clause 2(b).

Mr. Chairman, this provision requires the Secretary of Health and Human Services to assess a fee on each State for which HHS administers the State SSI supplement. The fee would equal 1.67 percent of the State's total SSI supplements and would be imposed for fiscal year 1993. The Social Security Act permits, and in some cases requires, States to supplement the Federal SSI benefit. States may administer these supplements or pass the funds on to HHS, which then pays them out with the regular SSI benefit. The act does not permit HHS to charge a fee for this service. Any modification of existing policy clearly falls within the jurisdiction of the Committee on Ways and Means and is a legislative matter.

Mr. NATCHER. Mr. Chairman, we concede the point of order.

The CHAIRMAN (Mr. SHARP). The point of order is conceded and sustained.

Are there further points of order?

## POINT OF ORDER

Mr. FORD of Michigan. Mr. Chairman, I raise a point of order against the language beginning with "Provided further" on page 59, line 5, down through "basis:" on line 9 of page 59 under the heading "Student Financial Assistance," with respect to section 411(b)(6) of the Higher Education Act on the ground that the provision proposes to include legislation in an appropriation bill and, thus, violates clause 2(b) of rule XXI.

Mr. Chairman, I have no recollection of ever making a point of order against one of the gentleman's bills on the floor. We have never had to. But last Thursday the President signed into law the Higher Education Act of 1992, and in the President's formal statement, as he signed the bill, he picked out some items that had been requested by the administration that ended up in the bill. One of them was extending Pell grants to less-than-half-time students. It has been a controversial issue around here, but the President wanted that. My colleagues will remember that earlier in the year he said that he himself is going to learn to operate a computer and that people should continue working and learning all their life. He singled that out, and it sort of looks like we are spitting in his eye if just less than a week later we repeal that part of the bill that he has just signed.

Therefore, Mr. Chairman, I have to make the point of order.

Mr. NATCHER. Mr. Chairman, as the gentleman from Michigan [Mr. FORD], the chairman of the Committee on Education and Labor, has pointed out, the change that took place several days ago places us in a position where we concede the point of order, and in doing so, Mr. Chairman, it gives me further the opportunity to thank my friend, the gentleman from Michigan [Mr. FORD], for his assistance all down through the years with our bill. There has not been a Member that serves in this House that has worked harder for education and for all the matters in his committee than the gentleman from Michigan, and we have always appreciated his help.

The CHAIRMAN (Mr. SHARP). The point of order is conceded and sustained.

The Chair would ask if there are further points of order.

## POINT OF ORDER

Mr. FORD of Michigan. Mr. Chairman, I raise a point of order against the language beginning with "Provided further" on page 58, line 13 down through "Act:" on line 24 of page 58 under the heading "Student Financial Assistance," with respect to section 479A of the Higher Education Act on the ground that the provision proposes to include legislation in an appropriation bill and, thus, violates clause 2(b) of rule XXI.

Mr. NATCHER. Mr. Chairman, this is language that has been carried down through the years in this bill. The gentleman from Michigan [Mr. FORD] is correct. We concede the point of order.

The CHAIRMAN (Mr. SHARP). The point of order is conceded and sustained.

Are there further points of order?

If not, the Chair recognizes the gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Chairman, I ask unanimous consent that all debate on the bill and amendments thereto conclude no later than 12 o'clock on the clock.

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

There was no objection.

The CHAIRMAN. Accordingly, time limits are set for all debate on all amendments to conclude by 12 noon.

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

Mr. Chairman, I will take a very short moment merely to again thank the gentleman from Kentucky [Mr. NATCHER] and the gentleman from Michigan [Mr. PURSELL] and other members of the committee. I have said many times that I always think it is the most important appropriation bill that comes before us.

□ 1050

It means so much to so many in our country, and I thank both of them for their continued support, effort, and leadership. I also want to say that we are going to miss the gentleman from Michigan [Mr. PURSELL]. I think it is a mistake that he is leaving us, but, on the other hand, I envy him also, I guess.

Again I particularly want to thank them for their additional help with Even Start. For a long time we did not deal with illiteracy on an intergenerational basis. We finally realized that if we are ever going to break the cycle of illiteracy, it has to be done in an intergenerational way. Even Start does that, and we have had wonderful reports back thus far. I do have a fear about it because they, the Appropriations Committee, have been so good to us that it now goes back to the States to operate. I have made it clear to all Governors and to all State leaders in education that if they do not continue the program in the manner in which it has been put very effectively into force, we will work to take the program away from them.

So again I want to thank the gentleman from Kentucky [Mr. NATCHER], the gentleman from Michigan [Mr. PURSELL], and the committee for their careful consideration of Even Start and all the other programs I deal with, including child nutrition and school lunch, and all the programs that help children and help parents to become better citizens in the United States.

Mr. Chairman, I rise in support of H.R. 5677, a bill providing appropriations for the Departments of Labor, Health and Human Services, and Education for fiscal year 1993.

I would like to begin my statement by again commending and thanking Chairman NATCHER, the ranking member Mr. PURSELL, and the members of the Labor—HHS—Education Subcommittee, for their steadfast support of, and leadership in, the policies and programs addressed by this bill. And I also want to again express my regret that my friend Mr. PURSELL will be leaving the House; we will miss his expertise and his always-present willingness to extend his assistance when we have requested it.

In particular, given the severe constraints the subcommittee faced in making its funding recommendations for the coming fiscal year, I want to express my deep appreciation for its decision to recommend a very generous 27-percent increase—from \$70 to \$89 million—in the level of funding of my favorite ESEA Chapter 1 Program, Even Start.

As I indicated to the subcommittee at the time I testified before it, since I helped to get Even Start off the ground in 1988, I must confess that I have felt a good measure of pride in the national recognition it has received, in the rapid success it has achieved, and in seeing it grow each year as a result of funding support based on merit.

From Even Start's ongoing evaluation, we have already learned that the program has proven itself to be a very effective tool in fighting family illiteracy, in reaching the most disadvantaged families, and in truly meeting the needs of both parents and children.

We have further learned that Even Start programs have served as a glue to bind together other resources already in the community. Thus, Head Start funds are being used to support Even Start family services; and Even Start programs are utilizing other Federal, State, and local education, health, nutrition, and transportation services to create a unique family program.

As I examined the bill's recommendations for postsecondary education programs, I was distressed to learn how much the \$704 million Pell grant shortfall for the fiscal year 1991 and 1992 program years had severely limited the subcommittee's usual desire to provide at least modest increases in the funding of these programs. Again, I must commend the subcommittee for doing as good a job as could be done under the difficult circumstances it faced.

Finally, I was pleased to find that the subcommittee recommends setting aside \$250,999 from the fiscal year 1993 fund for innovation in education appropriation to provide support for a distance learning project linking rural school districts through fiber optic cables that will permit elementary, secondary, and postsecondary education institutions to cooperate in offering a broader range of curriculum and teacher training opportunities.

In closing, Mr. Chairman, I want to extend my thanks to the entire Appropriations Committee, which has again demonstrated its responsiveness to some of the most pressing needs of our society.

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

Mr. Chairman, I rise in strong support of H.R. 5677, the appropriations

bill for Labor, Health and Human Services, and Education.

As the chairman of the Subcommittee on Health and Safety which has legislative jurisdiction over the Occupational Safety and Health Administration [OSHA], the Mine Safety and Health Administration [MSHA], and the National Institute for Occupational Safety and Health [NIOSH], I commend Chairman NATCHER, ranking member PURSELL, and the other members of the subcommittee and the Committee on Appropriations for the manner in which they have dealt with several crucial and controversial issues.

The response to criticisms of OSHA's bloodborne pathogen standard can be likened to a decision by King Solomon. The Subcommittee on Health and Safety had six hearings on the standard while OSHA was still formulating it. OSHA itself had numerous public hearings and received thousands of comments that were considered before the final standard was published. And now, as we all know, the issue is before the courts.

By asking OSHA to reexamine the application of the standard and then to report to the proper committees of jurisdiction, the Committee on Appropriations has taken the correct approach. In this form, if changes in the standard need to be made, they can be made by the committees of legislative jurisdiction rather than through the error of legislating in appropriations bill.

And, while I would have preferred that OSHA's funding be closer to the \$303 million proposed by the administration, I am satisfied that Chairman NATCHER and his colleagues sought to achieve the best they could within the existing budget framework.

That effort is reflected in the committee's decisions on MSHA's funding. By increasing funding for the Mine Safety Agency to almost \$192 million, the committee provided new dollars for two important enforcement programs: An improved coal dust control effort, aimed at preventing future attempts to engage in fraudulent dust sampling—a problem for more than 20 years; and enhanced inspection efforts at small mines, especially those with fewer than 50 employees.

At the same time, the committee recognized the importance of employee training as a means of reducing and eliminating unnecessary and preventable deaths and injuries by funding the State Training Grants Program at the 1992 level—\$5.6 million—rather than accept the administration's recommendation for eliminating the program. As mining deaths have dropped to just over 100 a year in recent years from the 250 to 300 deaths a year just 20 years ago, it is clear that training and education provided by the 46 State grantees has been a primary factor. Eliminating this program now could have tragic consequences.

Research in occupational safety and health is critical if we are to get a better understanding of how we can prevent and eliminate unnecessary deaths and injuries among American workers. Much of that research is done by and through NIOSH. With that in mind, I am somewhat disappointed that the bill before us proposes funding for NIOSH that falls slightly below last year's funding for the Agency.

I am pleased to note, however, that the committee has not followed the recommendation by the administration for an almost 25-percent reduction in funding for NIOSH. That kind of meat ax approach would have left the Agency in dire straits for the foreseeable future.

Under the committee approach, NIOSH will be able to continue many of its ongoing research projects, especially those related to construction deaths and injuries and to farmworker safety, two of the three most dangerous occupations.

Overall, Mr. Chairman, this is a good bill, at least insofar as worker safety and health is concerned. The committee members, so ably led by Mr. NATCHER and Mr. PURSELL, have done admirable work in difficult times. Again, I commend them and their colleagues and urge my colleagues in the House to support this appropriations bill, H.R. 5677.

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

Mr. GAYDOS. I yield to my colleague, the gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, I want to commend the gentleman from Pennsylvania [Mr. GAYDOS] and I also want to give credit to the chairman and our ranking minority member for this fine bill. I want to thank them for including the National Academy of Science, Space, and Technology. I have worked very hard on that. This is a \$5,000 scholarship that will be given to the top student after a competitive examination.

This is the type of thing we should be doing. We have worked very hard on it. I thank Chairman STOKES, chairman of our Ohio delegation, for supporting me on these issues. I also thank Chairman ROYBAL, Chairman GAYDOS, Chairman MURTHA, and others who have assisted in this program.

Our students are lacking in mathematics and science, and this program will take our brightest young students and give them a full scholarship, and after that scholarship is over, they will have to put 4 years in for Uncle Sam with pay.

Mr. Chairman, I thank the gentleman for the time.

Mr. GAYDOS. Mr. Chairman, overall this is a good bill, and again I commend my colleagues and the chairman on the majority side and the ranking minority member. I urge my colleagues in the House to support this appropriation bill, H.R. 5677.

Mrs. MORRELLA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wish to clarify the Appropriations Committee's intentions regarding funding for technical assistance and training for local displaced homemaker programs. There is a long history of committee support for the technical assistance and training services provided to the more than 1,300 programs across the country. These services have a proven track record of resulting in improved programs for displaced homemakers at the local level. In the past, the committee has provided funding to the Women's Bureau for these important services. This year, the committee has stated that funding for displaced homemakers should be a priority for the Department under title IV of JTPA. I want to clarify with you that the committee did not intend to reduce or in any way diminish the Department of Labor's support for customized technical assistance and training services for displaced homemaker programs in fiscal year 1993.

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

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

Mr. NATCHER. Mr. Chairman, I would like to advise the gentlewoman from Maryland that she is correct. The committee intends that the Department maintain support for technical assistance and training for displaced homemaker programs in fiscal year 1993. We believe that it is appropriate that these services be administered with other technical assistance for special populations under JTPA title IV, and, therefore, we intend that title IV discretionary funds be used for this purpose.

Before finishing my remarks, Mr. Chairman, I want to thank the gentlewoman from Maryland [Mrs. MORELLA] for her assistance with our bill at all times. Since she has been a Member of Congress, she has worked with us and has helped us, and I want her to know that I appreciate it.

Mrs. MORELLA. Mr. Chairman, the gentleman is very kind to say that, and I appreciate it because I also know of the leadership the gentleman has offered not only in this Chamber but to all the American people.

I also want to bid adieu to the gentleman from Michigan [Mr. PURSELL], who will be leaving that committee and leaving us on the House side. I hope that he will in some way stay in touch with us. We will miss him very much.

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

Mr. Chairman, I rise in support of this funding bill.

I want to commend my friend and colleague from Kentucky [Mr. NATCHER], chairman of the Appropriations Subcommittee on Labor-Health and Human Services-Education, for making

certain that this bill treats our veterans fairly. I also want to thank the gentleman from Michigan [Mr. PURSELL], the subcommittee's ranking minority member, for his commitment to veterans and their families.

Several very important employment and training programs for veterans are funded under this bill, and to BILL NATCHER's credit, each one is funded at levels higher than the administration had proposed.

Employment assistance for veterans is especially important in light of the military drawdown, which will require hundreds of thousands of military personnel to make the transition to the civilian job market over the next few years. Because of the high priority BILL NATCHER has always given our Nation's veterans, they will receive the help they deserve.

Thanks to the funding provided under this bill, we can have a program of transition assistance on all major military installations sometime next year. These are 3-day workshops in which military personnel within 180 days of separation are counseled and instructed on how to search for jobs.

This bill also funds the Disabled Veterans Outreach Program [DVOP] and the Local Veterans Employment Representative [LVER] Program, which provide a broad range of employment and training services, as well as placement assistance, for our veterans.

The personnel who deliver these services are trained at the National Veterans Training Institute in Denver to keep them current and help them become even more effective. The bill will fund this important training center at a level of more than \$2.8 million, even though the administration proposed to eliminate it altogether.

Mr. Chairman, the veterans of this Nation should be very grateful to have a man like BILL NATCHER in their corner, watching out for their well-being. Year after year, the distinguished gentleman from Kentucky has rejected administration budget proposals which would have prevented many veterans from finding jobs and remaining productive.

With this measure, BILL NATCHER and the Labor Appropriations Subcommittee have corrected each deficiency in the administration's budget for veterans' employment. This bill increases the administration's request for veterans' employment programs by a total of \$16.5 million.

On behalf of the Veterans' Affairs Committee and all veterans who are trying to find jobs, I want to thank Chairman NATCHER and his subcommittee for again coming to the rescue.

Mr. Chairman, I want to thank the chairman of the committee, the gentleman from Kentucky [Mr. NATCHER], for his attention. I want to commend him for what he has done for veterans in this legislation. The bill has been

very fair to our veterans. I commend also the gentleman from Michigan [Mr. PURSELL], the ranking minority member of the subcommittee.

Several very important employment and training programs for veterans are funded under this bill, and to the credit of the gentleman from Kentucky [Mr. NATCHER], each one is funded at the top level. That has helped veterans get jobs, especially those veterans who came back from the Persian Gulf.

Mr. Chairman, I just wanted to note this for the record and thank the gentleman for having been very fair to veterans who need jobs.

Mr. NATCHER. Mr. Chairman, if the gentleman will yield to me, I would like to say to the members of the committee that the gentleman in the well, the gentleman from Mississippi [Mr. MONTGOMERY] who is the chairman of the Committee on Veterans' Affairs, talked to us on our subcommittee on several occasions with regard to that portion of our bill pertaining to veterans, especially veterans' training.

At the request of the gentleman in the well, we have increased that amount by \$15 million, and the gentleman in the well can take full credit for it.

Mr. Chairman, I have been a Member of the House for a number of years now, and let me say that the veterans in this country have no better friend and have had no better friend than the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Chairman, I thank the chairman of the committee, and I thank the gentleman from Michigan [Mr. PURSELL] again for his help, as well as all the other members of the subcommittee.

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AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Texas: Page 80, after line 13, insert the following new section:

SEC. 512. The funds made available under any heading in this Act under object classification 21 for travel expenses shall not exceed 96 percent of the amount requested for such purpose in the budget of the United States Government submitted by the President for fiscal year 1993.

Mr. SMITH of Texas (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 Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Chairman, first of all I would like to thank the gentleman from Kentucky [Mr. NATCHER] for his leadership on this bill and also for the good communications between our staffs over this amendment.

Mr. Chairman, on average, those agencies funded by this bill will spend

a total of \$11.7 million a month on travel in fiscal year 1993. Then, on top of this, in the last 22 business days of the fiscal year, they will spend another \$5.8 million. Citizens should ask: If for 11 months these agencies could meet all of their program responsibilities with \$11.5 million a month in travel moneys, why do they need an extra \$5.8 million in the last 22 days of the business year? Where are they going?

This \$5.8 million year-end spending spree represents a 20-year spending pattern based on a review and analysis of Treasury Department spending records. That 20-year pattern firmly fixes the average size of this year-end spending spree on travel at 4 percent of the Federal Government's annual travel budget.

The yearend spending patterns of agencies funded by this bill—including the Departments of Health and Human Services, Labor, Education, and related agencies—conform to this pattern. By supporting this amendment, Members will cut each individual agency's travel funding by 4 percent and will send the message that excessive yearend travel at taxpayer expense is a thing of the past. Funding for programs, projects, personnel, and salaries is not reduced by a single dollar.

Approximately 70 agencies covered by this bill will have their travel budget funding reduced by 4 percent as defined in object classification 21.0. The average reduction is \$83,000. But like a dripping faucet, the dollars keep adding up. This year the Federal Government will spend more than \$7 billion on Government employee travel. Seven billion dollars.

Mr. Chairman, to put that spending in some perspective, consider that in 1992 we spent just \$2 billion on Head Start. We spent \$3.6 billion on the school lunch program. Pell grants cost \$6 billion. Spending on each of these and countless other programs is overshadowed by Government spending on travel.

And on average for each year over the last 20 years, the pattern of waste at the end of the Government's fiscal year is firmly established by the records of the Treasury Department on actual Government spending. It is 4 percent of the Government's annual travel budget. With a \$7 billion travel budget, the waste in yearend travel spending this year will approach \$300 million. Since 1971, this drip-drip-drip in yearend travel spending has cost the American taxpayer over \$2 billion.

If we don't fix the Government's travel budget plumbing, the cost to American taxpayers in just 4 more years will exceed \$1.6 billion. With bigger and bigger travel budgets, the amount of waste keeps growing and growing. An investigation of the Government's yearend travel turns up not only billions in wasteful spending over the years but a seemingly unending string of horror stories.

Examples abound: Rush bookings of meetings in Las Vegas and Palm Springs. Government supervisors assigning travel dollar amounts to employees to spend before year's end. Calls to travel agents: "We've got \$49,000 left in our travel budget. Set up some meetings. We'll figure out what they're about later."

Government officials and travel agents talking off the record repeatedly make the same points: Federal travel funds are near and dear to managers. They are treated as if personal. Considered a perk of Federal employment, managers use travel to reward some employees.

These attitudes and others are confirmed by the decisions of countless Federal managers to authorize excessive end-of-the-year travel at enormous expense to the taxpayer. Simply on the basis of total dollars spent, it is a form of governmental lunacy not to commit more attention to how these travel dollars are spent. Yet in Washington today those expenditures remain largely a mystery, a small part of what is the Federal budget equivalent of a giant black hole—Government overhead spending.

If we were to reduce total Federal Government spending on travel by 4 percent this year and hold future budgets to no more than the rate of inflation, we would free up \$1.6 billion over the next 5 years. We should start with the appropriations bill before the House.

To put the savings to be achieved by this amendment in perspective, the \$5.8 million in excessive yearend travel spending is equal to or more than that for each of the following programs funded by this bill:

Program:	Millions
Longshore and harbor workers benefits .....	\$4.0
Promoting employment to disabled .....	4.2
Alzheimer's demonstration grants .....	3.9
Pediatric emergency care .....	2.8
Border health education centers .....	2.8
National AIDS program office .....	3.9
AIDS minority health .....	2.1
Rural housing .....	2.0
Community food and nutrition .....	3.5
Frail elderly-in-home services .....	6.8
Women education equity .....	1.9
Helen Keller National Center .....	5.8
Minority sciences improvement .....	5.9

In the bill before the House, on average, funding for Government travel will exceed \$11.7 million a month. This amendment cuts only the 4 percent of wasteful travel spending done in the last month of the fiscal year. No programs, projects, personnel, or salaries are reduced by this amendment.

This is an amendment all members can and should support.

Mr. Chairman, I urge adoption of the amendment.

Mr. DORGAN of North Dakota. Mr. Chairman, I rise in support of the Smith amendment as modified and as a cosponsor of the amend-

ment. The amendment reduces excess travel spending in the Labor-HHS-Education bill by \$5.7 million. The reason is that agencies spend excessive amounts in the last quarter of each year—particularly in the last months. This amendment cuts out the amount of extra travel spending which typically occurs in the last month of the year.

This is a reduction in overhead expenses consistent with recommendations of the task force report on Government waste, "The Challenge of Sound Management." It also tracks several amendments which Mr. SMITH of Texas, Mr. PENNY, Mr. GLICKMAN, Mrs. BOXER, and I have offered to other appropriations bills.

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

Mr. Chairman, the committee has already cut the funding requested for Federal administrative expenses by about \$253 million below the request. This is \$127 million below the level required to fund mandatory fixed costs such as automatic pay raises and promotions, health and retirement benefits, and GSA rent increases. These cuts which are already included in the bill will force the agencies to cut other discretionary items—especially travel—to cover their mandatory costs. We expect some agencies may even be required to furlough employees or cut staffing levels through attrition or reductions in force due to severely constrained budgets contained in this bill.

I urge the Members to vote against the amendment.

Mr. Chairman, if the gentleman from Texas [Mr. SMITH] would make clear that his amendment applies to just travel, that it would not affect staffing, where it would not force the Department to turn people out, I would accept the amendment offered by the gentleman from Texas on this side.

Mr. SMITH of Texas. Mr. Chairman, if the gentleman would yield, I would like to thank the gentleman from Kentucky [Mr. NATCHER] for making the distinction he just make. I do consent and agree with those distinctions.

The CHAIRMAN. The Chair would indicate there needs to be a unanimous consent request propounded if a modification of the amendment is sought.

Mr. NATCHER. Mr. Chairman, as I understand the gentleman from Texas [Mr. SMITH] on this amendment, the amendment would apply only to travel and no further to any point in the bill, is that correct?

Mr. SMITH of Texas. Mr. Chairman, that is correct.

Mr. NATCHER. Mr. Chairman, we accept the amendment on this side.

The CHAIRMAN. The Chair would advise that the notification does need to be submitted in writing.

Mr. SMITH of Texas. Mr. Chairman, I ask unanimous consent that the amendment be limited to travel only as agreed to by the chairman of the Committee on Appropriations subcommittee.

The CHAIRMAN. The gentleman from Texas [Mr. SMITH] must submit that modification in writing.

Mr. NATCHER. Mr. Chairman, I believe now, upon examining the amendment offered by the gentleman from Texas [Mr. SMITH], that no change is necessary. It is in his amendment.

The CHAIRMAN. It is the Chair's understanding the question will be on the original amendment.

Mr. NATCHER. Mr. Chairman, that is correct.

On this side we would accept the amendment offered by the gentleman from Texas [Mr. SMITH], providing that it only restricts funds for travel and that it does not reduce amounts in the bill generally for salaries and expenses.

Mr. PURSELL. Mr. Chairman, we also accept the amendment as amended.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. SMITH].

The amendment was agreed to.

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

Mr. Chairman, I want to congratulate the gentleman from Kentucky, [Mr. NATCHER] and the gentleman from Michigan [Mr. PURSELL] for the fine job they did along with my other colleagues on the subcommittee in putting this bill together.

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

It is directed to meeting the health and other needs of our people and our country. We must look after the people's health and education.

It is encouraging to see our subcommittee under the chairman of the gentleman from Kentucky [Mr. NATCHER] give attention to Americans and America. We have got to give our country that attention, because our country is what all of our money is based on. An educated, healthy population, with adequate housing, food, and nutrition from a strong agricultural base, provides the foundation for our national strength and future.

Mr. Chairman, ours is a great country. We need to take care of all of it in order to maintain a strong, healthy nation. I assure you no chairman and no subcommittee does a better job than BILL NATCHER and the members of this subcommittee.

Mr. Chairman, I urge this bill be adopted.

□ 1110

Ms. OAKAR. Mr. Chairman, I move to strike the last word.

I want to compliment the gentleman and the distinguished subcommittee for the work they have done in the past couple years, in particular relative to women's health issues and, this year as well, prostate cancer which affects 1 out of 11 men.

We know that in the past women's diseases have been neglected in terms of research and at times by NIH. Women have not been included in clinical trials, for example. They did not include women in the clinical trial of 21,000 people for aspirin relative to heart disease, so women may never know whether aspirin helps them or not in terms of arresting heart disease.

They did not include women in the past when it came to aging diseases. They at one time did a 20-year study on aging diseases and somehow could not find one woman to analyze in that study. I see my distinguished chairman of the Select Committee on Aging, the gentleman from California [Mr. ROYBAL]. He knows and has had wonderful hearings on these issues. Two out of three older people happen to be female, so we know there has been a tremendous neglect in the past.

I am heartened by the fact, even though it is not the whole loaf, in my judgment, that the chairman and the distinguished subcommittee have asked for a one-third increase over last year's funding for breast cancer, cervical cancer and prostate cancer. For breast cancer, which is an epidemic in this country, 1 out of 9 women get breast cancer; 48,000 will die of breast cancer; 330,000 died during the Vietnam war era when we lost 57,000 soldiers. If that is not an epidemic, I do not know what is. I am heartened that this will mean a \$42 million increase in research.

In ovarian cancer, for example, my friend, the gentlewoman from Hawaii [Ms. MINK] has been very instrumental in pushing for, and other members of the women's caucus, we do not even have early detection for ovarian cancer. When a woman finds out that she has these symptoms, she is at tremendously high risk. So we have got to do better, and we can do better.

Mr. Chairman, we had asked for \$300 million for the full authorization for breast cancer, but we know the bind we are in. We were able to increase it by \$14 million because we really want to find a cure for this terrible epidemic disease. But we know the bind the committee is in. You can't transfer funding from the area of military research which is four times higher.

I want to say to my colleagues, I think it is about time we break down the firewalls relative to the Defense budget. I think if we asked the American people "Would you rather find a cure for diseases like breast cancer and prostate cancer and ovarian and cervical cancer, would you rather find a cure and invest your research dollars to finding cures for these diseases, or would you rather invest your tax dollars to find more creative ways for cluster bombs and more creative missiles, et cetera," I think the American people would say, "You know, I think it is about time we worry about the quality of life of our own people."

We know that for research in the Defense Department, for military research, taxpayers pay \$35 billion for research to find more creative ways for military weapons—for destruction. We only pay and have a \$9 billion budget for the National Institutes of Health. Ninety percent of all health research is Government-sponsored. So it is four times less than we are investing in research to find cures for diseases.

I do not know why. I do not see why we cannot transfer \$2 billion from the \$36 billion and put it into the research for these terrible diseases. Why should the chairman and the committee have to scrimp?

The CHAIRMAN. The time of the gentlewoman from Ohio [Ms. OAKAR] has expired.

Ms. OAKAR. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

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

Mr. CRANE. Mr. Chairman, reserving the right to object, the concern I have is, I know there are at least three amendments on our side. And depending upon the Chair's recognition of my colleague, the gentleman from Indiana, immediately upon my presentation of my amendment, I will not ask for a record vote on it because of these time constraints.

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

Mr. CRANE. I yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, does the gentleman mean to tell me he will not let me speak 2 minutes more when it comes to epidemic diseases?

Mr. CRANE. Mr. Chairman, it has nothing to do with the merits of the gentlewoman's issues.

Ms. OAKAR. Mr. Chairman, if the gentleman will continue to yield, how much of a hurry are we in?

Mr. CRANE. Mr. Chairman, there are possible time constraints in this Chamber. The fact of the matter is, I am going to ask unanimous consent for a limitation of only 10 minutes on my amendment, 5 and 5. If opponents do not want to use that 5, fine. But what I am suggesting is, we are down to only 43 minutes left for the consideration of any amendments, and there are bigger ones coming.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Ms. OAKAR. Mr. Chairman, the simple point is that we can do better. Four out of five recommended grants are rejected for health research because there simply are not the funds. I think we ought to transfer \$2 billion or so, which is minuscule compared to all the money we spend for military research,

to the National Institutes of Health so the members on this sub-committee do not have the bind of trying to figure out where they can cut and so forth.

In any event, I hope in the future we have another chance to vote on breaking down these firewalls. The American people ought to know what we are doing here. We are restricting health research, but we are pouring their tax dollars into research for missiles and cluster bombs and contributions to Western Europe when they do not need it anymore.

There is no war going on there. There is no threat by the former Soviet Union. Let's recapture some of those funds and use it to find cures for diseases.

□ 1120

AMENDMENT OFFERED BY MR. CRANE

Mr. CRANE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRANE: Page 68, strike lines 11 through 24.

Mr. CRANE. Mr. Chairman, I ask unanimous consent that the time for debate on my amendment be limited to 10 minutes, 5 minutes for the majority and 5 minutes for the minority.

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

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. CRANE] is recognized for 5 minutes.

Mr. CRANE. Mr. Chairman, my amendment is to a provision in the bill that grants \$272.3 million to the Corporation for Public Broadcasting, or CPB. My amendment will strike those funds. I urge the Members to support my amendment.

With our country's debt over \$4 trillion, it is foolish to continue funding costly and nonessential programs, like CPB, that are inherently better suited for the private sector.

In fact, CPB can flourish quite well in the private sector without Government help. Already the vast majority of public radio and television stations are operated by private sources such as universities and nonprofit community organizations. Federal funding of public broadcasting accounts for only slightly more than one-seventh, or 16 percent of the total industry funding sources. Eliminating Federal funding of the CPB would do little to threaten public broadcasting's future as private support is robust and growing.

Although created to serve the public, CPB is nonetheless not held accountable to public scrutiny and, in fact, often follows a unique agenda outside the mainstream of taxpayer thought. For example, a recent documentary titled "Tongues Untied", funded by the National Endowment for the Arts, CPB, and its affiliate, the Public Broadcasting Service [PBS], spurred hundreds of indecency complaints to

the Federal Communications Commission as a result of the show's graphic sexual depictions and language. In fact, "Tongues Untied" was so offensive that 206 of the 341 PBS stations refused to broadcast it.

In addition, recent programming of CPB, PBS, and another affiliate, National Public Radio [NPR], has become politically motivated in blatant violation of the fairness provisions in CPB's statute guaranteeing "strict adherence to objectivity and balance in all programs." Last year, for instance, PBS refused to show "The Greenhouse Conspiracy," a documentary that seriously undermines the global warming theory, even though many stations requested the program. Also, NPR allowed Nina Totenberg to cover the Clarence Thomas/Anita Hill hearings even though Ms. Totenberg was responsible for leaking confidential material and maintained an extremely partisan slant against Judge Thomas throughout her reporting. Furthermore, PBS has announced two multimillion-dollar television series by left-wing commentators Bill Moyers and William Grieder on the 1992 elections with no balance of programs by conservative journalists.

And recently, after assurances by CPB that it would provide more balance and objectivity in its programming due to concerns raised by Senate minority leader BOB DOLE, CPB nonetheless made rather partisan selections as hosts of two new election programs designed for minority voters. One host is a former Democratic Congresswoman and keynote speaker at the Democratic National Convention and the other is a former Democratic mayor who has rumored to be considered by Bill Clinton as a possible running mate. This decision by CPB clearly demonstrates total disregard for objectivity and balance in programming required of them by law.

Finally, government fostering of public broadcasting is no longer necessary. CPB was established in 1967 at a time when there were only three networks. Today, with cable, hundreds of program services are now available to the public and the time for taxpayer-funded public broadcasting has come and gone.

I would like to direct you to an excellent editorial by columnist George Will advocating the elimination of Federal funding of CPB. Again, I urge you to vote for the Crane amendment to H.R. 5677.

The final point I would make, Mr. Chairman, is that while I got here too late to raise the point of order, this provision was not authorized in this legislation.

Mr. Chairman, I include at this point two newspaper articles which elaborate on my remarks.

[From the Washington Post, Apr. 23, 1992]  
**WHO WOULD KILL BIG BIRD? PULL THE PLUG ON PUBLIC TELEVISION—IT'S AN UPPER-MIDDLE-CLASS ENTITLEMENT**

(By George F. Will)

Is nothing sacred? Evidently not. Even public television is being questioned by some conservatives who evidently do not understand the importance of being earnest.

Some troglodyte Neanderthal Puritan Yahoo philistine reactionary inquisitorial Victorian barbarian blue-nosed Cromwellian know-nothing Savonarolas—that is, conservatives, as the public television lobby sees them—are wondering why taxpayers should give another \$1.1 billion to public television.

A good question.

The Corporation for Public Broadcasting was born 25 years ago as a final filigree on the Great Society. It already has a quarter of a billion of federal funds for 1992 and another quarter of a billion in 1993. At issue today is a 50 percent increase to \$1.1 billion for 1994-96. The caliber of the defense of the CPB can be seen in Sen. Gore's *cri de coeur*: "How many senators here have children who have watched 'Sesame Street' and 'Mister Rogers' Neighborhood'? . . . This is one thing that works in this country."

How apt: A wealthy legislator in a chamber well-stocked with people like him, calling for subsidies for his children's programming because it "works," whatever that means.

Does Big Bird need a subsidy? He is a product of Children's Television Workshop, a multi-media giant grossing more than \$100 million from programming, publications and licensing fees.

The original argument for public television was that over-the-air broadcasting allows only a few competitors who are driven to seek a broad—and low—common denominator. That argument has been obviated by technology—by cable and the onset of "narrowcasting" to many small segments of the American audience.

Public television's advocates argue that almost all households can receive it, whereas only 60 percent of households are wired for cable. But leaving aside the continuing spread of cable, a crucial question is: How many people who do not have cable because they cannot afford it are watching the public television? Not many. Public television's audience always has been economically and intellectually up-scale.

The original rationale for public television was wonderfully sealed against questioning. It was that government had to subsidize such programming precisely because so few people wanted it. The argument goes like this: If the public were more discerning, there would be no need for government subsidies—but, then, a discerning public would not object to government subsidies. After all, by definition, a discerning public discerns the merits of government as a provider of services.

The CPB provides 16 percent of the funding for public television stations. But those stations claim 5.2 million voluntary donors. If each would give another \$70 a year (less than the average cable subscriber pays for three months of service), they would raise the \$1.1 billion without requiring taxpayers to subsidize their entertainment.

Dr. Laurence Jarvik of the Heritage Foundation has another idea about what to do with the CPB: Sell it. Jarvik believes, reasonably, that there are ample cable, broadcast and home video markets for magnificent work like Ken Burns's "Civil War" series. Therefore private investors could make and syndicate such quality programming.

Today, Jarvik says, public television is "a solution in search of a problem."

Walter Goodman of The New York Times asks: "Is Dr. Jarvik so satisfied with commercial TV that he can see no room for further innovation?" The answer is: No, but does Goodman believe that any possibility of "innovation" in any sector of society justifies a federal subsidy? If not, what makes television special?

Politically, what is special is public television's audience. For example, WETA, Washington's public station, says its contributors have an average household income of \$94,583. They should have \$94,513 after sending WETA an extra \$70 to keep the senators' children wholesomely entertained.

WETA's audience would be an advertiser's dream. Indeed it is a dream for those who advertise in WETA's magazine. Thus government is entangled in subsidizing competition against private print as well as broadcasting enterprises.

The public television lobby is, in part, another example of government-as-an-interest group. It is government lobbying itself. It is an effective lobby because it is in most congressional districts—wherever there are public stations and audiences. Public television audiences are, like the members of the American Medical Association, the National Association of Manufacturers and many other muscular lobbies, largely affluent, educated and articulate.

Public television is a paradigm of America's welfare state gone awry. It is another middle-class—actually, upper-middle-class—entitlement. If you doubt the entitlement mentality of the public television lobby, hear its indignant rhetoric equating any questioning of their subsidy with censorship. The public television lobby consists disproportionately of people with the financial and educational means to provide their own educational, but who have the political competence to bend public power to their private advantage.

Think of it this way: The relationship of CPB spending to affluent America is approximately that of agriculture subsidies to agribusiness.

[From the Washington Post, Apr. 27, 1992]

**SPECIAL PLEADING FOR PUBLIC TV**

(By Robert J. Samuelson)

You learn in college that if you're asked an exam question you can't answer, then answer the question you can answer and pretend it is the exam question. Sharon Percy Rockefeller—president of WETA, Washington's public TV station—must have done well in college. When columnist George Will proposed ending federal subsidies for public TV, Rockefeller fired off two blistering replies that managed to evade the central issue posed by Will.

It is this: How can we end federal budget deficits unless we eliminate nonessential programs like broadcast subsidies? (The answer: We can't.)

Every special pleader, like Rockefeller, wants to ignore the larger picture. In her replies, she never mentions the deficits. A+ for debating skills; F for honesty. There are principled reasons to support federal subsidies for public TV. There are also principled reasons (to which I subscribe) to oppose them. But we should be beyond this sort of delicate debate. The truth is, as Will argued, that TV subsidies are a governmental frill we can no longer afford.

It's hard to argue that America doesn't have enough TV or that it's a basic function of government to satisfy every programming

taste underserved by commercial stations. It's also hard to envision that public broadcasting's best-known programs ("Sesame Street," "MacNeil/Lehrer," "Wall Street Week" or "All Things Considered") would vanish without subsidies. They could—if need be—find commercial support. (Indeed, some of these programs now feature announcements of corporate sponsorship that are first cousins to commercials.) Nor would ending subsidies doom public broadcasting. Only 17 percent of its income comes from the federal government, down from 27 percent in 1980.

Naturally, Rockefeller invokes children in defense of public TV, citing (aside from "Sesame Street") programs such as "Mister Rogers' Neighborhood" and "Where in the World is Carmen Sandiego?" I've got three small children, ages 2 to 7. These are good programs. But let's not delude ourselves: They haven't fundamentally improved the lot of poor children. And if these programs have educational value, they can be funded through the Department of Education. What we don't need are broad-based subsidies that underwrite more conversations with Bill Moyers.

Now, the point here is not to expose Rockefeller's considerable skills to deceive. It is to highlight the central issue: the budget deficits. Recall that the deficit in fiscal 1992 exceeds \$350 billion and that the Congressional Budget Office projects deficits of at least 3 percent of the economy's output into the 21st century. That's about \$180 billion in today's dollars. And these projections assume an economic recovery and a continued decline of defense spending (as a share of output), while excluding the one-time costs of the savings and loan bailout.

Almost every politician in America wants to be passionately against the deficits without being for any spending cuts or tax increases. This explains the appeal of a constitutional amendment requiring a balanced budget. Supporting it allows politicians to oppose the deficit while postponing any specific actions. It also explains the appeal of Ross Perot: a man who promises dramatic changes without elaborating how he will achieve them.

The trouble is that the budget deficits can't be closed without raising specific taxes or cutting specific programs. If every existing program is sacrosanct, then the cause is hopeless. Suggestions to prune such program as TV subsidies typically evoke this reply: Don't bother, because they're too small to matter. Superficially, this is true. Axing the \$251 million operating budget of the Corporation for Public Broadcasting wouldn't visibly dent the deficit.

But the argument fails on two counts. First, many other programs resemble TV subsidies: Whatever their original justification, they no longer serve an important national need. They have constituencies and supporters, who advertise public benefits that are at best modest and at worst fictional. Amtrak. Farm subsidies. Art subsidies. Water subsidies. There's a long list. In an ideal world, we might be able to afford them. But not in today's world. There are also hordes of programs where spending could be tightened. Together, the potential savings probably amount to \$15 billion to \$25 billion: not enough to end the deficits, but not trivial.

And second, it will be impossible to enact meaningful tax increases (an essential part of any deficit solution) until the public perceives spending is being disciplined. Here's the crux of the deficit deadlock. Republicans

propose spending cuts that Democrats reject, causing Republicans to reject tax increases. But both parties are pleased, because neither truly wants to raise taxes or cut spending. The paralysis is sustained by special pleaders like Rockefeller who have a vested interest in the status quo: that is, massive deficits without political pressures to cut the least-justified programs.

The very size of the deficit has now become an excuse for irresponsibility, because no single step is sufficient to make a major difference in the deficit. The effect is to prevent government from responding to new needs. A case in point: Sen. Jay Rockefeller (D-W.Va.)—husband of Sharon—last year chaired a national commission on children. The commission made some expensive proposals (for example: a tax cut for families with children) that were simultaneously praised and dismissed as unrealistic. The reason: no money. If Sen. Rockefeller wonders why, he should look across the breakfast table.

Everyone is happy to deplore "special interests" in the abstract without the discomfort of naming names or identifying programs. The attitude is live and let live: I'll keep my favorite program, you keep yours. We can no longer tolerate this casual cynicism. People like Sharon Rockefeller enjoy unwarranted public sympathy because they defend programs deemed "worthy." In fact, she and her ilk are prime defenders of the deficits. Irresponsibility has become respectable, even disc. Until it isn't, there's no chance of making any headway.

Mr. NATCHER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. CRANE].

The CHAIRMAN. The gentleman is recognized for 5 minutes in opposition to the amendment.

Mr. NATCHER. Mr. Chairman, I rise in opposition to the gentleman's amendment. The public broadcasting program that we carry in this bill, Mr. Chairman, started in the year 1969. This program in the main has been a successful program. In marking this bill up, Mr. Chairman, we placed in the bill the sum of \$272,250,000. This was the same amount that we carried in the bill last year less 1 percent. This is a forward funding arrangement, as Members know, and the amount carried in the bill is for fiscal year 1995.

Mr. Chairman, in marking this bill up, as I said in the beginning, we started the bill about \$1,400,000,000 short as far as programs underway that require the money. We had to mark the bill up by taking 1 percent across the top to stay within our section 602(b) funding allocation. This budget was sent to us, Mr. Chairman, with library services out, a \$112 million cut. It was sent to us from OMB with community service block grants for the States at \$5 million, only that part that applies to the National Youth Sports Program. We had to then place back into the bill \$390 million. The budget comes up with only \$5 million.

Impact aid is important throughout this country, with some 86 or 87 Members appearing before our committee on behalf of category B, which was

completely omitted by OMB, completely omitted. We then had to place back into the bill about \$135 million. When anyone says that we increased education or we increased any part of the bill, that took place, Mr. Chairman, in some instances, but the money was removed from other programs throughout the bill.

As far as public broadcasting is concerned, Mr. Chairman, we are against this amendment. If the gentleman from Illinois [Mr. CRANE] offered an amendment to reduce it somewhat, a little below the figure, I do not know how the committee would feel about it. However, Mr. Chairman, certainly we do not accept this amendment. We rise in opposition to the amendment and ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. CRANE].

The amendment was rejected.

Ms. SLAUGHTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of H.R. 5677. I know many of my colleagues share my disappointment that the bill does not go farther in funding vital domestic programs in health and education, but we must recognize that this year especially, if we are serious about reducing the budget deficit, difficult spending decisions have to be made.

On the Budget Committee, we faced similarly difficult choices, but we laid out a blueprint for reinvesting in America and in the health and education of the American people. I am gratified to note that, in many significant areas, the appropriations bill we consider today follows the direction given in the budget resolution.

In particular, H.R. 5677 makes important advancements in the areas of women's health and the education of homeless children. After working in the 101st Congress to enact legislation which would ensure the education of our Nation's homeless children, I am particularly pleased that H.R. 5677 continues this effort by providing \$29.7 million for the program for homeless youth established in the McKinney Homeless Assistance Act. Although this figure is well below the authorized amount of \$50 million, the increase of \$4.7 million over the fiscal year 1992 level during this budget squeeze represents a strong commitment to providing homeless children the education they deserve.

I am also gratified that H.R. 5677 gives special funding priority to NIH research targeted to breast, ovarian, cervical, and prostate cancers. While the \$44.2 million increase for breast cancer research leaves us well below the \$300 million we provided for in the budget resolution, it is at least, an indication of Congress' commitment to ending breast cancer; and, I pledge to continue my work to expand breast cancer screening and research until a cure is found and women are no longer vulnerable to this killer.

Mr. Chairman, I thank Chairman NATCHER for the work he did on the bill during a very difficult and challenging time. I urge the House to pass H.R. 5677 and join with me in an earnest pledge to do all we can in the coming

Congress to continue the work which is only just begun in this legislation.

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

If the gentleman from Indiana [Mr. BURTON] will indulge me for a minute, I would like to announce that at the conclusion of debate I intend to offer a funding limitation amendment to the bill before us today. My amendment will simply prevent OSHA from using funds provided by this bill to implement regulations affecting mandatory use of seat belts or motorcycle helmets and mandatory driver safety awareness programs.

OSHA first proposed the occupant protection in motor vehicle regulations in July 1990, and final regulations could be issued at any time. These regulations are expected to include two mandates: employer accountability for employee seat belt use and employer-sponsored driver training programs. It is true that seat belt and helmet laws save lives, but employers should not be held responsible for the employees' seat belt use or their failure to use their seat belts. How will the employer monitor seat belt use when their employees are out on the road?

Employers should concern themselves with running their businesses, not enforcing driver safety laws. Driver training and licensing should remain the purview of the State government. Thirty-six States have already enacted safety belt use laws, and all States have driver training and licensing procedures. Merely duplicating State laws with rules that punish employers for their employees' actions will not save lives.

□ 1130

This rule would spawn more litigation as injured third parties discover that the driver that hit them was not trained in strict accordance with the loosely written OSHA regulations.

Mr. Chairman, these proposed regulations are a bad idea. We should not allow OSHA the opportunity to make these rules final. Therefore, I urge my colleagues to support my amendment when I offer it to limit funding for the implementation of these regulations.

The fact is that under the rules of the House affecting funding limitations, I will only offer my amendment after the entire bill has been read for amendment. In that event, it is possible that the chairman could, if he chooses, offer a motion to rise and prevent me from offering my amendment, but in the event that he would choose not to, I would certainly hope that my amendment would be read, and that we would have an opportunity to vote on the amendment at the conclusion of this debate.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. FORD OF MICHIGAN

Mr. FORD of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FORD of Michigan: On page 58, line 13, strike out "shall not exceed \$2,300" and insert "shall be \$2,300".

Mrs. KENNELLY. Mr. Chairman, will the gentleman yield?

Mr. FORD of Michigan. I am happy to yield to the gentlewoman from Connecticut.

Mrs. KENNELLY. Mr. Chairman, I rise in order to show my concern over the Low-Income Housing Energy Assistance Program.

Mr. Chairman, I am here today to express my disappointment that the committee appropriated only \$891 million in nonemergency funding for the Low-Income Home Energy Assistance Program [LIHEAP]. This is \$174 million below the administration's request. Worse, it is \$609 million below the fiscal year 1992 funding level.

Coming from a State caught in the throes of a recession, what this means for Connecticut is that funding will be cut by nearly 40 percent. That's 40 percent. In fiscal year 1992, Connecticut got almost \$31 million. Under this bill, Connecticut would receive only \$18.2 million. While the State would make every attempt to assist the 75,000 families served in fiscal year 1992, it would have to slash benefits drastically. This could also threaten the State's ability to maintain the policy that no one will have to choose between eating and heating—our so-called no-freeze-to-death policy.

While the committee provision to permit the President to provide emergency funding of \$600 million may appear to soften the blow, his record makes it abundantly clear that he would not do so. That renders the \$600 million useless.

While I recognize that a number of the programs that would receive increased funding under this bill are worthy, I do not believe LIHEAP should bear the burden of funding them. Nearly 60 percent of households receiving LIHEAP assistance have annual incomes under \$6,000 per year. For these families, paying for heat takes an average of 14 percent of their income—compared to only 3 percent for the average U.S. household.

As the recession shows little sign of lifting, it is obvious that the need will continue, if not increase. Since last year, the AFDC caseload has increased by 24 percent. Over 3 million new households now receive food stamps. All of these are eligible for LIHEAP, as are many of the working poor and many of the new recipients of unemployment compensation. With so many newly eligible, it makes no sense to cut LIHEAP by 40 percent.

I want to make it clear that I do not support this inequitable reduction in funding for LIHEAP. I had written the committee asking that the funding level be at least equal to, if not greater than, the level for fiscal year 1992. Need alone warrants the fiscal year 1992 level of \$1.6 billion; equity demands that this reduction be reversed.

Mr. FORD of Michigan. Mr. Chairman, members of the committee, I discussed this with both sides.

Really what I am trying to do is restore the language that has traditionally been carried in this bill with respect to the maximum Pell grant. We

are all disappointed that we can only get the Pell grant up to \$2,300, but the new language of the bill that deviates from the past practice changed from setting the limits as an absolute to setting it as a cap, saying, "It shall not exceed," which automatically confers unprecedented authority on the Secretary in his sole discretion to reduce the Pell grant to any amount below the \$2,300 maximum.

We did not make a point of order against this language which would stand, I believe, because it confers this additional authority to the Secretary. I do not think the Secretary, who is in fact responsible for consistently, not just this Secretary but predecessors, underestimating Pell and putting the committee in the spot it gets in almost every year should be given more authority to do the same thing. So I am asking to go back to the language of the legislation as it has been in the past.

We eschewed the offering of the point of order, because that would have stricken a cap altogether and leave us with the very unusual situation of an authorizing level of \$3,700 and only enough money to pay for \$2,300.

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

Mr. FORD of Michigan. I am happy to yield to the gentleman from Kentucky.

Mr. NATCHER. Mr. Chairman, when the Secretary of Education and his staff appeared before our committee, we were advised during the hearings that the shortfall in the Pell grant program was \$332 million.

Then suddenly we were advised by the Department downtown, that there was a slight error. The error was to the extent that, instead of \$332 million, the shortfall in Pell grant was \$1,461 million. Now, Mr. Chairman, we can understand a \$50 million mistake or a \$20 million mistake and call it a slight error, but when you reach the point where you talk changing from \$332 million, to \$1.4 billion, that is a little more than a slight error.

The gentleman from Michigan is correct, Mr. Chairman, the wording that we previously carried in our bill has been changed this time to "not to exceed \$2,300." This was done as a result of the testimony before our subcommittee regarding the Pell problem.

We had to place into the bill \$704 million to bring up fundings for the shortfall to that point. We will need another \$700 million in 1994. That is the reason why we changed the language in the bill this time. But the gentleman from Michigan, the chairman of the authorizing committee, objects to the change and we accept the amendment.

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

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

Mr. PURSELL. Mr. Chairman, we have reviewed the amendment here. I somewhat reluctantly accept this amendment from my good colleague, the chairman, the gentleman from Michigan [Mr. FORD], on the authorizing committee.

However, the Secretary, I understand, does not really want discretionary power, but what it will do, it will limit the number of students on the Pell grants to that \$2,300 amount, where if you did have some flexibility there, you could offer less, say, \$2,000 per student, and include more people, more Pell grants.

The fact of the matter is that there are more students than in our history who are signing up for Pell grants, and that is the reason not only that OMB miscalculated the shortfall, also CBO miscalculated the shortfall.

With that in mind, we on this side will accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. FORD].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MRS. JOHNSON OF CONNECTICUT

Mrs. JOHNSON of Connecticut. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. JOHNSON of Connecticut: page 50, after line 11, insert the following new section:

SEC. . In addition to amounts otherwise available therefor, the Secretary may, in order to adequately fund the Healthy Start program, transfer up to one quarter of one percent from the amounts appropriated in this Act for each account in the Public Health Service for which payments are not mandated by law.

Mr. NATCHER. Mr. Chairman, I reserve a point of order against this amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, in bringing this amendment, I understood that a point of order could be raised against it, but wanted to bring it forward in any case to talk about the need for additional funding for the Healthy Start Program and hope that in conference we can do something to increase funding in this area.

Healthy Start, as my colleagues will remember, is a series of 15 demonstration programs, in urban and rural areas, whose purpose it is to reduce infant mortality. Healthy Start challenges those communities to plan a coordinated system of attack on this problem, and requires Healthy Start communities to ensure access without barriers to a comprehensive package of family planning counseling, pregnancy testing, prenatal care, delivery, interpartum and postpartum care, pediatric care for infants, and social services as appropriate, and tailored to the community's specific needs, including outreach, home visits, child care,

transportation, risk assessment, dental care, nutritional counseling, social support, mental health services, substance abuse services, and prevention counseling.

For those of us who have worked on this issue of infant mortality, in the neighborhoods where it is prevalent—and it is not throughout America but in very specific areas—it is clear, and we have demonstrated beyond a shadow of a doubt, that you have to take this kind of comprehensive integrated approach to reduce infant mortality. Only if a community will commit itself to this level of planning will Federal dollars make any difference and at this time, 15 communities have invested in the planning process and are expecting the funds to implement new programs and reduce our near third world statistics and all the personal pain they mask. 1993 is a critical year because it is the last year we will have the chance to fully implement community's plans. A shortfall in funding of the severity that this program currently faces will require us to reduce the number of cities that can participate, and certainly companies the knowledge that will be gained from this work. Because this is such an important program and because infant mortality in our Nation is a national shame, because this approach fosters collaborative and innovative approaches, I hope that in the conference committee it will be possible to provide somewhat better levels of funding so that the communities which have done this extensive preparatory work will be able to go forward.

□ 1140

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

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Michigan.

Mr. PURSELL. Mr. Chairman, I want to congratulate the gentleman from Connecticut [Mrs. JOHNSON] for bringing this subject to our attention. It has been a tough budget. I know Healthy Start has been underfunded in this bill. I have had several discussions with Secretary Sullivan about his concerns.

I will make a commitment that we will make appropriate recommendations in the conference committee to see what can be done.

I led and cochaired an Infant Mortality New Beginning Program in Jackson County which has had an outstanding 1-year history, and I can tell the gentleman with her great leadership nationally that this is one of the finest models in the country.

So I fully support the infant mortality issue that the gentleman has addressed in the Congress, and I thank the gentleman for bringing this to our attention.

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

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Pennsylvania.

Mr. SANTORUM. Mr. Chairman, I thank the gentlewoman for yielding to me.

I, too, want to join in congratulating her for proposing this amendment, and I want to thank the chairman for allowing the discussion on this important program.

We have been contacted by Dr. Dixon, the head of the Allegheny County Health Department. Pittsburgh is 1 of the 15 sites that was chosen because the infant mortality rate in the black community in Pittsburgh is the highest in the Nation. It is an area of grave concern, and obviously not a proud point for the city of Pittsburgh. It is something that we have been working on very hard.

They are concerned with the decrease in funding that has been shown in this bill and some of the rumblings in the Department that there may be in fact a reduction in the number of centers that are going to be funded if this allocation is only at this level.

I would hope and encourage the gentleman from Michigan and the gentleman from Kentucky in conference to do a little bit more to get some more money for this program so that we do not lose any of these centers and we can continue to fight this very important battle.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I want to thank the chairman for really his genuine interest in this and his concern in this area.

There just was not a way to write the amendment in a way that would provide both the flexibility we need at this point in the process and be technically correct.

So I do appreciate the interest of the chairman in this.

I would just add that the more you study the health care problems, the more it is clear that 10 percent of the population is absorbing 90 percent of the money. This approach will get at one of the real cost drivers and help us deal with both access and cost.

Mr. NATCHER. Mr. Chairman, does the gentleman from Connecticut withdraw her amendment?

Mrs. JOHNSON of Connecticut. Yes, Mr. Chairman, I withdraw my amendment.

Mr. NATCHER. Mr. Chairman, I would like to say to the gentleman from Connecticut that she has been nice about this amendment. She has discussed it with both sides and I concur with the statement made by my friend, the gentleman from Michigan [Mr. PURSELL] that in conference we will see if we cannot work something out on this matter to provide additional funding.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Connecticut [Mrs. JOHNSON] is withdrawn.

There was no objection.

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

Mr. Chairman, I just wanted to take a minute of time, I know the time is short and there are other Members who may have amendments they want to offer, but I want to say this is a good bill considering the allocation we had to work with. As always, Chairman NATCHER and his excellent staff have done a good and fair job with this bill.

But, I want to use my time to pay tribute to a member of our subcommittee who is retiring this year—CARL PURSELL. Carl has been on this subcommittee since 1979, and I have had the privilege of sitting next to him for over a decade. He has done an outstanding job as our ranking member this year.

Throughout his tenure on the subcommittee, CARL has been a voice of reason and conviction. He has taken tough stands on issues. For instance, this year he joined with Chairman NATCHER to oppose delayed obligations which artificially inflate spending totals and create serious outlay problems in succeeding years. Most important, CARL has struck the proper balance between principle and government. He knows when to refuse to yield on principle, and when compromise—the hallmark of good government—is required.

Mr. Chairman, we are going to miss CARL on the subcommittee and in Congress. He has big shoes to fill.

Mr. Chairman, although the committee has had to make some very difficult choices, and in some cases substantially cut back in very popular programs, we recognize the need to help school districts which have been severely impacted by military bases. I offered an amendment, which is included in this bill, to set aside \$10 million within the impact aid appropriation for school districts that have been most hurt by inadequate Federal payments to educate the children of military personnel.

In my congressional district, I have two school districts which serve the children of military personnel who live on base, and do not, therefore, pay taxes on their homes to support the school district. In North Chicago, the North Chicago Community Unit District No. 187 is 68-percent impacted by students whose parents work at the Great Lakes Naval Training Center. Down the road about 10 miles, Highwood/Highland Park Elementary District No. 111, which is 33-percent impacted, serves students whose parents are stationed at Fort Sheridan, which is scheduled to close next July.

The per pupil expenditures at these schools are far in excess of the reimbursement they receive for each military student under the impact aid program. They have, therefore, been forced to raise local taxes and accumulate large debts as the communities subsidize the Federal payments shortfall.

My amendment would provide additional payments to school districts like

No. 187 and No. 111 which meet certain criteria regarding level of impact and tax effort. A district may qualify for additional funding if it is at least 30-percent militarily impacted, and has higher than State average tax levy and per pupil expenditure. As a result, only districts which have very high impact and whose communities have made the tax commitment to strongly support education will be eligible.

Mr. Chairman, this is a one-time fix that will help school districts, like those in my congressional district, avoid massive layoffs of staff and school closings. But the underlying problem will still remain until the impact aid authorizing statute is reformed. I want to work with the Department of Education and the Education and Labor Committee, and its Elementary and Secondary Education Subcommittee, to produce an impact aid reauthorization that will remedy the Federal payment shortfalls now faced by many heavily impacted schools.

In addition, Mr. Chairman, this legislation addresses many important needs in our country. The bill report contains a provision that asks the Occupational Safety and Health Administration [OSHA] to review its regulations designed to prevent the spread of disease to health care workers. While these regulations are much needed, certain aspects of the overall rule would place unnecessarily burdensome, and in some instances, ridiculous requirements on dentists. I hope that OSHA will quickly work with the American Dental Association [ADA] and other interested parties to remedy this problem.

The bill includes important funding for biomedical research on several debilitating diseases. H.R. 5677 includes \$3 million at the Centers for Disease Control [CDC] to continue tracking and investigating chronic fatigue syndrome [CFS] which affects primarily women, often in the prime of life. This bill also provides funding to continue important work at the National Institute on Diabetes and Digestive and Kidney Diseases on the search for the diabetes gene.

The report which accompanies H.R. 5677 addresses other important research concerns including funding for research on dystonia, possible creation of a sleep disorders center within an existing Institute, and an important funding increase for the National Center on Medical Rehabilitation Research within the National Institute on Child Health and Human Development. The report also provides a substantial increase in funding for research on prostate cancer which affects nearly one in nine men.

Perhaps most important among all of the biomedical research efforts now underway, the report includes \$1 million for a public education program on eating disorders, which are often fatal and

affect primarily adolescent and young adult women. While the National Institute on Mental Health conducts research on eating disorders, it has not in the past conducted a large-scale public education program, which is desperately needed so that patients, family members, and physicians recognize the symptoms and direct patients to treatment. When caught early, eating disorders can be successfully treated. But at this time, most patients suffer at least one relapse, and 16 percent of all women diagnosed with anorexia will eventually die from the disease.

Mr. Chairman, we have addressed many other important needs. This bill preserves funding for the general dentistry and general internal and pediatric medicine programs at the Bureau of Health Professions. These two programs held ensure that we continue to train generalists in the medical profession—physicians who help improve access to primary care, one of our most important goals in health care reform.

We have also provided funding to continue important programs at the related agencies including the Peace Institute and the Corporation for Public Broadcasting. Lastly, the bill includes the requested amount for the President's special management improvement fund at the Railroad Retirement Board to reduce fraud and improve management of the Board.

While no one will be satisfied entirely with this bill, I believe it is a good one given the constraints under which we were working. I would have preferred to see deeper cuts in many lower priority programs, but my view was not generally shared by the committee. I would also have preferred to see some increases in certain programs that did not receive them. But overall, this is a good bill and I commend it to the Members.

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

Mr. Chairman, first I want to congratulate the distinguished gentleman from Kentucky [Mr. NATCHER] for his leadership on this extremely complex and important appropriations bill, but I must rise today to once again fight for money that I should not even have to defend, funding for the Low Income Home Energy Assistance Program, commonly known as LIHEAP.

The fiscal year 1993 Labor, HHS, and Education appropriations bill proposes a 41-percent cut in LIHEAP that effectively cripples the program. A drop from \$1.5 billion to \$891 million in funding really means:

Massachusetts will lose over \$25 million and over 38,000 fewer families will be served in the cold of winter.

Community action programs will be left with only two choices: Eliminate households by reducing the eligibility for the program to an even lower level of poverty, or cut in half the maximum amount a household could receive for

the entire winter. In Massachusetts, this could be less than \$300—or about one tank of heating oil for the winter.

Nearly three out of five LIHEAP recipients earn below \$6,000 a year. A 41-percent cut would prevent over 21 million low-income families nationwide from receiving fuel assistance this winter.

These numbers represent people who are choosing between eating and staying warm. No member in this Chamber is asked to make that choice. How can we ask the very people who sent us here to represent and protect them to make that terrible choice?

It defeats our purpose when we fund programs to help children learn in school, or immunize them against illness, but let them shiver in their beds at night.

Mr. Chairman, we can find billions of dollars to bail out the S&L's. Why can we not find the money to help keep a mother and her children warm in the winter?

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 80, insert after line 13 the following new section:

SEC. 512. Notwithstanding any other provision of this Act, each amount appropriated or otherwise made available under this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1.05159 percent.

Mr. BURTON of Indiana. Mr. Chairman, first of all, I would like to congratulate Chairman NATCHER and the ranking Republican, the gentleman from Michigan [Mr. PURSELL] for not having any forward funding in this bill this year. I told the gentleman from Kentucky [Mr. NATCHER] that I was going to give him a compliment for that. He has done a good job in that regard and we really appreciate it, and I am sure the taxpayers of this country appreciate it as well.

After having said that, however, let me just say to my colleagues that this bill increases spending by \$25.31 billion, that is \$25,000 million more than last year.

In the entitlement area, and this is the real part that we need to address, in the entitlement area we are increasing spending by almost \$24 billion. That is \$24,000 million in this one bill, and time after time I have come to this floor and talked about where we are heading as a Nation as far as our economy is concerned.

This chart shows where we are today. We are \$4 trillion in debt, \$4.1 trillion in debt approximately, and by the year 2000, 7½ years from now, we are going to be over \$13 trillion in debt, probably more like \$15 trillion in debt.

What that simply means is that we are not even going to pay the interest on the debt. The interest, if you look

at this bottom chart, is going to be a minimum of \$1.2 trillion and all the tax revenues we are bringing in right now bring in about \$1.3 trillion. So we are not going to have enough money to take care of Medicare, Medicaid, Social Security, and all the other problems facing this Nation, because we are going to be spending all our money on the interest on the national debt.

So what will the Federal Reserve Board do? The Federal Reserve Board by law has the right to monetize the debt, to pay off the debt by printing money.

Now, the Federal Reserve Board at that point, as all governments in history in my view, will print \$6, \$8, \$10 trillion and put it out in circulation.

What does that mean? That means that we will have so many dollars chasing fewer and fewer goods and services and it means that everything will go up in cost dramatically. A loaf of bread may cost \$30. A quart of milk may cost \$25.

The people on fixed incomes that we are concerned about in these entitlements are going to be the ones hit the hardest, the people we are trying to take care of today in the entitlements, listen to me, in the entitlements, are the ones who are going to get hit the hardest because they will be on fixed incomes and they will not have enough money to pay for bread and milk, because we are not being fiscally responsible today.

□ 1150

Listen, \$24 billion in this one bill above last year, and last year we had approximately a \$400 billion deficit. Some people say it is going to be less than that. The fact of the matter is it is close to \$400 billion and going up. These are the projections; they are not my projections, they are those of the Federal Reserve Board.

So we have real problems. Today I cannot get at the entitlements. I believe this Congress must address the problem of entitlements. If we limited entitlements in this bill to no more than a 2 percent growth, we would save—get this—\$20 billion in this one bill. If we limited the entitlements to a 2 percent growth, it would pinch some toes, but we would save \$20 billion in this one bill and still allow a \$3.3 billion increase in spending.

We could still increase spending by 3,000 million dollars in this bill and save \$20 billion if we limited it to 2-percent growth. That is what we ought to do. The growth in this bill is almost 15 percent. Inflation is 3 percent. Fifteen percent, five times the rate of inflation.

This country cannot stand that kind of spending. It is going to bankrupt us; it will bankrupt us.

Now, what my amendment does—and I can only get at the discretionary spending—my amendment limits the

growth in spending to 2 percent in discretionary funding, which means we will save \$587 million. We could save \$20 billion, but we cannot get at the entitlements.

So I can say to my colleagues, if you want to save \$587 million, you will still be increasing spending by about \$25 billion, which is way out of line, but if you want to save \$587 million, then vote for my amendment. You will be taking a small step toward being fiscally responsible.

Now, you all know what I am telling you is a fact, and you all know what I am telling you is the truth, and we do not do anything about it.

I submit to you today we ought to take a first step, save \$587 million and vote for the Burton amendment.

Mr. NATCHER. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment offered by the gentleman from Indiana [Mr. BURTON].

Mr. Chairman, the gentleman points out the terrific increases in some of the programs in this bill. As the gentleman well knows, Mr. Chairman, with the exception of only a very few programs, the increase in this bill is in the entitlement programs. This bill increases over last year only 1.5 percent in discretionary programs.

You know, it is right easy when you come in and say, "We want a 1-percent cut across the top of this bill, it is just a small amount of money."

But let us look and see what it is. What do you cut? What do you have in mind with such an amendment?

Here is the Job Training Partnership Act, the gentleman from Indiana wants to cut it \$42 million. The Job Corps, he wants to cut \$10 million. The Older Workers Employment Program, he wants to cut it \$4 million.

The gentleman, under his amendment, with regard to the State unemployment service, he wants to cut it \$33 million more. As far as AIDS is concerned, and, Mr. Chairman, this is one of the most terrible diseases confronting the world today, we have in this bill about \$1,980,000,000 for AIDS. If we had the money for the bill, if the dollars were there, that would have been \$2.5 billion, I say to the gentleman from Indiana.

He wants to cut the AIDS program, \$20 million.

As far as health professions is concerned, \$2 million; childhood immunization, \$3 million; tuberculosis—the gentleman from New York [Mr. SCHUMER] is here now—he appeared before our subcommittee on this particular matter pertaining to a new strain of tuberculosis. We increased that amount by \$59 million. The gentleman from New York [Mr. SCHUMER], who is in the well now, brought it to our attention. We increased it \$59 million to a total of \$80 million.

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

Mr. NATCHER. I yield to the gentleman from New York briefly.

Mr. SCHUMER. Mr. Chairman, I thank the subcommittee chairman for yielding to me.

Just briefly, Mr. Chairman, I want to say that the money for tuberculosis, for fighting this new strain, is in the bill. It is a very, very significant increase. I want to thank the chairman, the gentleman from Kentucky [Mr. NATCHER] for it.

Mr. Chairman, we are doing now, on this new strain of tuberculosis, what we should have done with AIDS 10 years ago; in other words, getting a stitch in time to save nine before this disaster spreads. And I want to thank the chairman.

Mr. Chairman, I rise today in support of this bill and I commend the members of the Appropriations Committee for the fine work they have done. In particular, I would like to recognize the distinguished chairman, Mr. NATCHER, for his leadership in assuring that this bill provides increased funding to reinvigorate tuberculosis prevention and control programs at the Centers for Disease Control. The bill appropriates over \$105 million for these programs, almost \$40 million over the President's request. Of this total, \$40 million is earmarked for those areas of the country hardest hit by the recent TB resurgence, such as New York City and other major metro areas.

I also wish to recognize my distinguished colleague from California, Mr. WAXMAN, for the efforts he has made in highlighting the need for stepped-up TB prevention and control programs. Together, we introduced H.R. 5052, the tuberculosis prevention and control amendments, which called for such increases in CDC funding, in addition to other remedial measures that still require legislative action.

Mr. Chairman, the funding in this bill is crucial to address a burgeoning epidemic of a disease that most of us thought was just a savage relic of the past. In 1991, over 26,000 new cases of TB were reported, up more than 10 percent since 1989. New cases have been reported in every State of the Union, in rural and suburban communities and in large cities. Almost 60 percent of all TB cases occur in communities with populations of less than 250,000 people.

Ominously, this rise in TB has been accompanied by the emergence of drug-resistant strains of the disease, which are very expensive to treat and are fatal in 75 percent of the cases. Drug-resistant TB has been reported in more than a dozen States.

Thankfully, TB is a preventable and, in virtually all cases, treatable disease. The increased funding in this bill will allow us to quickly expand our TB prevention and control programs and halt the spread of this dreaded disease. This will save both lives and money. Delays, as we learned from the inadequate responses to the AIDS crisis, exact terrible costs.

With this bill we take the first critical step towards eradicating the scourge of TB once and for all. Again, I commend Chairman NATCHER for his insightful leadership on this issue and I urge my colleagues to support this bill.

Mr. NATCHER. I thank the gentleman from New York for his comments.

Mr. Chairman, for breast and cervical cancers, the gentleman wants to cut that \$1 million. As far as the National Institutes of Health, the gentleman wants to cut it \$92 million.

As far as the National Cancer Institute, the gentleman wants to cut it \$20 million.

Mr. Chairman, the gentleman, for the National Heart, Lung, and Blood Institute, wants to cut it \$12 million. For Medicare Program management, he wants to cut it \$20 million.

The Low-Income Home Energy Assistance Program, the gentleman from Massachusetts, on this side of the aisle, spoke about this, and the gentleman from Indiana wants to cut that \$9 million.

Coming on down: The refugee program, \$3 million; community services, \$4 million. Head Start, Mr. Chairman, the gentleman from Indiana wants to cut it \$27 million. You know, when the gentleman from Indiana goes back—and the gentleman from Indiana is my friend, he is a good Member of the House—when the gentleman from Indiana goes back to his district, he could say to his people without any question: "Take a look at me. I am the one who offered the amendment to reduce Head Start by \$27 million. Take a look at me. That was in my amendment."

Mr. Chairman, as far as the Administration for the Aging, he wants to cut it \$8 million. Now, here on education, on chapter 1, the gentleman wants to cut it \$68 million.

When the gentleman goes back to his district he can say to the people in his district, Mr. Chairman, "Take a look at me. I am the one who offered the amendment. I want to cut elementary and secondary education \$68 million more than the committee had to cut it by virtue of the dollars not being there."

In addition to that, Mr. Chairman, there is a cut here in special education, he wants that cut \$29 million. And so on down the line, student aid, Mr. Chairman, \$81 million. These boys and girls who graduate from high school, who have had it tough all the way through, then they try to go to college, but the gentleman from Indiana wants to cut it.

Mr. Chairman, I say to you I hope every Member votes against this amendment. This amendment should be defeated.

The CHAIRMAN. The time of the gentleman has expired.

There remain 3 minutes of total debate time on everything. The Chair asks the gentleman from Michigan [Mr. PURSELL], for what purpose does he rise?

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

The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] has been standing. The Chair would like to divide the remaining 3 minutes between

the gentleman from Michigan [Mr. PURSELL] and the gentleman from Vermont [Mr. SANDERS]. But the debate is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

Mr. PURSELL. I would be happy to do that, Mr. Chairman.

PARLIAMENTARY INQUIRY

Mr. LIVINGSTON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LIVINGSTON. Mr. Chairman, will I be allowed time to offer my amendment that I referred to earlier?

The CHAIRMAN. Amendments may be offered after 12 o'clock, but there is no possibility of debate pro or con on the amendment.

Mr. LIVINGSTON. I thank the Chair. The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] is recognized for 1½ minutes.

Mr. SANDERS. I thank the chairman for yielding.

Mr. Chairman, several months ago this institution had a very profound debate, and the debate was whether we continue to spend \$280 billion on the military, \$135 billion to defend Western Europe over \$4 billion for missile defense, \$4 billion for B-2 bombers, and \$1 billion for Trident submarines.

Some of us said let us cut military spending so that we can reinvest in America, make sure that we deal with homelessness, make sure that we do not have senior citizens in this country who go cold in the wintertime, let us make sure that all the kids in America have the opportunity to have a Pell grant and go to college.

Mr. Chairman, we lost that debate, and the chickens are coming home to roost today.

□ 1200

Mr. PURSELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana [Mr. BURTON].

Mr. Chairman, this committee put together an excellent bill which is only 1½ percent over last year in discretionary spending. The gentleman from Indiana is correct when he says the problem is entitlements, and I suggest that he does have an opportunity as a Member of Congress to introduce legislation to change the statutes and eligibility requirements regarding entitlements. So, I think he can address that issue.

I would like to say in my time in the U.S. Congress that I too, have opposed many military appropriations bills, particularly the MX—200 to 50—the B-1, and many of the weapons systems that we have.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The question was taken; and the Chairman announced that the yeas 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 95, noes 290, not voting 49, as follows:

[Roll No. 320]

AYES—95

Allard	Gallegly	Packard
Allen	Gekas	Penny
Archer	Hancock	Petri
Army	Hansen	Quillen
Baker	Hefley	Ravenel
Ballenger	Herger	Rhodes
Barton	Holloway	Ridge
Bennett	Hopkins	Rinaldo
Bliley	Hunter	Ritter
Boehner	Hutto	Roberts
Bunning	Inhofe	Rohrabacher
Burton	Jacobs	Roth
Callahan	Johnson (TX)	Sarpalius
Camp	Kolbe	Schaefer
Chandler	Kyl	Schulze
Coble	Lagomarsino	Sensenbrenner
Combest	Livingston	Shuster
Condit	Marlenee	Smith (TX)
Cox (CA)	McCandless	Solomon
Crane	McCollum	Spence
Cunningham	McCrery	Stenholm
Dannemeyer	McEwen	Stump
DeLay	McMillan (NC)	Sundquist
Dickinson	Meyers	Taylor (NC)
Doolittle	Michel	Thomas (CA)
Dorgan (ND)	Miller (OH)	Thomas (WY)
Dornan (CA)	Miller (WA)	Walker
Dreier	Moorhead	Walsh
Duncan	Nichols	Weldon
Ewing	Nussle	Zeliff
Fawell	Orton	Zimmer
Fields	Oxley	

NOES—290

Abercrombie	Cramer	Guarini
Ackerman	Darden	Gunderson
Alexander	Davis	Hall (OH)
Andrews (NJ)	de la Garza	Hall (TX)
Andrews (TX)	DeFazio	Hamilton
Annuzio	DeLauro	Hammerschmidt
Anthony	Dellums	Harris
Applegate	Derrick	Hastert
Aspin	Dingell	Hayes (IL)
AuCoin	Dixon	Hayes (LA)
Bacchus	Dooley	Hefner
Barrett	Downey	Henry
Bateman	Durbin	Hertel
Beilenson	Dwyer	Hoagland
Bentley	Early	Hobson
Bereuter	Eckart	Hochbrueckner
Berman	Edwards (CA)	Horn
Bevill	Edwards (TX)	Horton
Billbray	Emerson	Houghton
Bilirakis	English	Hoyer
Blackwell	Erdreich	Hubbard
Boehlert	Espy	Huckaby
Bonior	Evans	Hughes
Borski	Fascell	James
Boucher	Fazio	Jenkins
Brewster	Feighan	Johnson (CT)
Brooks	Fish	Johnson (SD)
Broomfield	Flake	Johnston
Browder	Ford (MI)	Jones (GA)
Brown	Frank (MA)	Jones (NC)
Bruce	Franks (CT)	Jontz
Bryant	Frost	Kanjorski
Bustamante	Gallo	Kasich
Byron	Gaydos	Kennedy
Cardin	Gejdenson	Kennelly
Carper	Gephardt	Kildee
Carr	Geren	Kleczka
Chapman	Gibbons	Klug
Clay	Gilchrest	Kolter
Clement	Gillmor	Kopetski
Clinger	Gilman	Kostmayer
Coleman (MO)	Glickman	Lancaster
Coleman (TX)	Gonzalez	LaRocco
Collins (IL)	Goodling	Laughlin
Collins (MI)	Gordon	Leach
Cooper	Goss	Lehman (CA)
Costello	Gradison	Lent
Cox (IL)	Grandy	Levin (MI)
Coyne	Green	Lewis (CA)

Lewis (FL)	Patterson	Slattery
Lewis (GA)	Paxon	Slaughter
Lightfoot	Payne (VA)	Smith (FL)
Lipinski	Pease	Smith (IA)
Lloyd	Peterson (FL)	Smith (NJ)
Long	Peterson (MN)	Smith (OR)
Lowey (NY)	Pickett	Snowe
Luken	Pickle	Spratt
Machtley	Porter	Staggers
Manton	Poshard	Stallings
Markey	Price	Stark
Martin	Pursell	Stearns
Martinez	Rahall	Stokes
Mavroules	Ramstad	Studds
Mazoli	Rangel	Swett
McCloskey	Reed	Swift
McCurdy	Regula	Synar
McDade	Richardson	Tanner
McDermott	Riggs	Tauzin
McGrath	Roe	Taylor (MS)
McHugh	Roemer	Thornton
Ritter	Rogers	Torres
McMillen (MD)	Ros-Lehtinen	Trafcant
McNulty	Rose	Traxler
Mfume	Rostenkowski	Unsoeld
Miller (CA)	Roukema	Upton
Mineta	Rowland	Valentine
Mink	Roybal	Vento
Moakley	Sabo	Visclosky
Mollinari	Sanders	Volkmer
Montgomery	Sangmeister	Vucanovich
Moody	Santorum	Washington
Moran	Savage	Waters
Morella	Sawyer	Waxman
Morrison	Saxton	Weber
Murtha	Scheuer	Weiss
Myers	Schiff	Wheat
Natcher	Schroeder	Whitten
Neal (NC)	Schumer	Wilson
Oakar	Serrano	Wolf
Oberstar	Sharp	Wolpe
Obey	Shaw	Wyden
Olver	Shays	Wyllie
Ortiz	Sikorski	Yates
Owens (UT)	Sisisky	Yatron
Pallone	Skaggs	Young (AK)
Panetta	Skeen	Young (FL)
Parker	Skelton	
Pastor		

NOT VOTING—49

Anderson	Hatcher	Olin
Andrews (ME)	Hyde	Owens (NY)
Atkins	Ireland	Payne (NJ)
Barnard	Jefferson	Pelosi
Boxer	Kaptur	Perkins
Campbell (CA)	LaFalce	Ray
Campbell (CO)	Lantos	Russo
Conyers	Lehman (FL)	Solarz
Coughlin	Levine (CA)	Tallon
Dicks	Lowery (CA)	Thomas (GA)
Donnelly	Matsui	Torricelli
Dymally	Mollohan	Towns
Edwards (OK)	Mrazek	Vander Jagt
Engel	Murphy	Williams
Foglietta	Nagle	Wise
Ford (TN)	Neal (MA)	
Gingrich	Nowak	

□ 1224

Messrs. HAMMERSCHMIDT, RAMSTAD, LEWIS of Florida, and ENGLISH changed their vote from "aye" to "no."

Mr. RIDGE changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Chair would advise that all time for debate has expired, and on any further votes that are to be taken, the Chair will hold strictly to the 15-minute time.

Mr. NATCHER. 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.

PARLIAMENTARY INQUIRY

Mr. LIVINGSTON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LIVINGSTON. Mr. Chairman, my inquiry is that if this motion to rise is to pass, will I or will I not be allowed to introduce my amendment which says in effect that OSHA will have no funds to implement their regulations to force employers to be responsible if their employees do not wear seat belts on motorcycles?

The CHAIRMAN. The Chair would advise that if the motion is not agreed to a proper limitation on appropriations amendment would be in order.

The question is on the motion offered by the gentleman from Kentucky [Mr. NATCHER] to rise and report.

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

RECORDED VOTE

Mr. LIVINGSTON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 215, not voting 38, as follows:

[Roll No. 321]

AYES—181

Ackerman	Espy	Mfume
Alexander	Evans	Miller (CA)
Andrews (ME)	Fascell	Mineta
Andrews (NJ)	Fazio	Mink
Annuzio	Feighan	Moakley
Applegate	Flake	Montgomery
Aspin	Ford (MI)	Moran
AuCoin	Frank (MA)	Murphy
Bacchus	Frost	Murtha
Beilenson	Gaydos	Natcher
Bennett	Gejdenson	Neal (MA)
Berman	Gephardt	Neal (NC)
Bevill	Gibbons	Nowak
Billbray	Gonzalez	Oakar
Blackwell	Green	Oberstar
Bonior	Hall (OH)	Obey
Borski	Hamilton	Olin
Boucher	Harris	Olver
Brooks	Hayes (IL)	Ortiz
Browder	Hertel	Owens (NY)
Brown	Hoagland	Pallone
Bryant	Hochbrueckner	Panetta
Bustamante	Horn	Payne (VA)
Cardin	Hoyer	Pease
Carper	Hubbard	Peterson (FL)
Carr	Hughes	Peterson (MN)
Chapman	Jacobs	Pickett
Clay	Jenkins	Pickle
Clement	Johnston	Price
Coleman (TX)	Jones (NC)	Rahall
Collins (IL)	Kanjorski	Rangel
Collins (MI)	Kennelly	Reed
Cooper	Kildee	Richardson
Costello	Kleczka	Rose
Cox (IL)	Kolter	Rostenkowski
Coyne	Kopetski	Roybal
Cramer	LaFalce	Sabo
de la Garza	Lehman (FL)	Sanders
DeFazio	Levin (MI)	Sangmeister
DeLauro	Lewis (GA)	Savage
Dellums	Lipinski	Sawyer
Derrick	Long	Scheuer
Dingell	Lowey (NY)	Schroeder
Dixon	Manton	Schumer
Dooley	Markey	Sharp
Dorgan (ND)	Martinez	Sisisky
Downey	Mavroules	Skaggs
Durbin	Mazzoli	Slaughter
Dwyer	McCloskey	Smith (FL)
Early	McDermott	Smith (IA)
Eckart	McHugh	Stark
Edwards (CA)	McNulty	Stokes

Studds	Unsoeld	Whitten
Swift	Valentine	Williams
Synar	Vento	Wolpe
Taylor (MS)	Visclosky	Wyden
Thornton	Washington	Yates
Torres	Waters	Yatron
Torricelli	Waxman	Young (FL)
Trafiacant	Weiss	
Traxler	Wheat	

NOES—215

Abercrombie	Hastert	Paxon
Allard	Hayes (LA)	Penny
Allen	Hefley	Petri
Andrews (TX)	Hefner	Porter
Anthony	Henry	Poshard
Archer	Henger	Pursell
Arney	Hobson	Quillen
Baker	Holloway	Ramstad
Ballenger	Hopkins	Ravenel
Barrett	Horton	Regula
Barton	Houghton	Rhodes
Bateman	Huckaby	Ridge
Bentley	Hunter	Riggs
Bereuter	Hutto	Rinaldo
Billirakis	Inhofe	Ritter
Billey	James	Roberts
Boehlert	Johnson (CT)	Roemer
Boehner	Johnson (SD)	Rogers
Brewster	Johnson (TX)	Rohrabacher
Broomfield	Jones (GA)	Ros-Lehtinen
Bruce	Jontz	Roth
Bunning	Kasich	Roukema
Burton	Kennedy	Rowland
Byron	Klug	Santorum
Callahan	Kolbe	Sarpalius
Camp	Kostmayer	Saxton
Chandler	Kyl	Schaefer
Clinger	Lagomarsino	Schiff
Coble	Lancaster	Schulze
Coleman (MO)	LaRocco	Sensenbrenner
Combest	Laughlin	Shaw
Condit	Leach	Shays
Cox (CA)	Lehman (CA)	Shuster
Crane	Lent	Sikorski
Cunningham	Lewis (CA)	Skeen
Dannemeyer	Lewis (FL)	Skelton
Darden	Lightfoot	Slattery
Davis	Livingston	Smith (NJ)
DeLay	Lloyd	Smith (OR)
Dickinson	Lowery (CA)	Smith (TX)
Doolittle	Luken	Snowe
Dornan (CA)	Machtley	Solomon
Dreier	Marlenee	Spence
Duncan	Martin	Spratt
Edwards (TX)	McCandless	Staggers
Emerson	McCollum	Stallings
English	McCrary	Stearns
Erdreich	McCurdy	Stenholm
Ewing	McDade	Stump
Fawell	McEwen	Sundquist
Fields	McGrath	Swett
Fish	McMillan (NC)	Tallon
Franks (CT)	McMillen (MD)	Tanner
Galleghy	Meyers	Tauzin
Gallo	Michel	Taylor (NC)
Gekas	Miller (OH)	Thomas (CA)
Geren	Miller (WA)	Thomas (WY)
Gilchrest	Molnari	Upton
Gillmor	Moody	Vander Jagt
Gilman	Moorhead	Volkmer
Glickman	Morella	Vucanovich
Goodling	Morrison	Walker
Gordon	Myers	Walsh
Goss	Nichols	Weber
Gradison	Nussle	Weldon
Grandy	Orton	Wilson
Guarini	Owens (UT)	Wolf
Gunderson	Oxley	Wylie
Hall (TX)	Packard	Young (AK)
Hammerschmidt	Parker	Zeliff
Hancock	Pastor	Zimmer
Hansen	Patterson	

NOT VOTING—38

Anderson	Dymally	Kaptur
Atkins	Edwards (OK)	Lantos
Barnard	Engel	Levine (CA)
Boxer	Foglietta	Matsui
Campbell (CA)	Ford (TN)	Mollohan
Campbell (CO)	Gingrich	Mrazek
Conyers	Hatcher	Nagle
Coughlin	Hyde	Payne (NJ)
Dicks	Ireland	Pelosi
Donnelly	Jefferson	Perkins

Ray	Serrano	Towns
Roe	Solarz	Wise
Russo	Thomas (GA)	

□ 1244

Messrs. LUKEN, WELDON, GUARINI, SLATTERY, GLICKMAN, ANDREWS of Texas, McMILLEN of Maryland, PASTOR, VOLKMER, GORDON, SPRATT, HEFNER, KENNEDY, and WILSON changed their vote from "aye" to "no."

Messrs. DOWNEY, McDERMOTT, GONZALEZ, and Mr. LEWIS of Georgia changed their vote from "no" to "aye." So the motion was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WILLIAMS. Mr. Speaker, during the voting process on rollcall vote No. 321 which just occurred on the motion by the floor manager to rise and report the Labor-HHS appropriations bill back to the full House, I attempted to change my vote from "yea" to "nay." Apparently, the voting had closed on this rollcall and my vote change was not recorded. My intention was to vote "nay" on the motion to rise and report the bill back to the full House. I intended to so vote because I would have then voted "yea", in favor of the proposal by Congressman LIVINGSTON.

AMENDMENT OFFERED BY MR. LIVINGSTON

Mr. LIVINGSTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment, and the Chair would advise Members there is no time for debate on this or any other amendment.

The Clerk read as follows:

Amendment offered by Mr. LIVINGSTON Page 80, after line 13, insert before the short title provision the following new section:

SEC.—None of the funds appropriated under this Act may be expended by the Occupational Safety and Health Administration to implement or administer the regulations affecting mandatory seat belt use, mandatory motorcycle helmet use, and mandatory employer driver safety awareness programs, to be codified or proposed to be codified at parts 1910, 1915, 1917, 1918, 1926, and 1928 of title 29 of the Code of Federal Regulations.

The CHAIRMAN. For what purpose does the gentleman from Kentucky [Mr. NATCHER], the chairman of the committee, rise?

Mr. NATCHER. Mr. Chairman, will the gentleman from Louisiana [Mr. LIVINGSTON] yield to me?

The CHAIRMAN. The Chair must indicate there is no time.

Mr. LIVINGSTON. Mr. Chairman, I ask unanimous consent that I have 1 minute to debate the issue.

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

There was no objection.

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

Mr. LIVINGSTON. I am happy to yield to the gentleman from Kentucky.

Mr. NATCHER. Mr. Chairman, as Members know, immediately following this bill we will take up the supplemental appropriations bill. It is our intention on this side and on the other side, Mr. Chairman, to put that one through as soon as possible. I have talked to the gentleman from Louisiana [Mr. LIVINGSTON] about his amendment.

Mr. Chairman, on this side we accept the gentleman's amendment. Then we will move that the Committee do rise. We will have the vote on the passage of the bill and go right into the supplemental.

I would ask the gentleman, does that meet with his approval?

Mr. LIVINGSTON. It certainly does, Mr. Chairman. I thank the gentleman from Kentucky, and would say that I enjoy working with him on the full committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. LIVINGSTON].

The amendment was agreed to.

Mr. NATCHER. 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 motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. BONIOR] having assumed the chair, Mr. SHARP, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 5677) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related 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.

The SPEAKER pro tempore. 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.

MOTION TO RECOMMIT OFFERED BY MR. MILLER OF OHIO

Mr. MILLER of Ohio. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MILLER of Ohio. In its present form, I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. MILLER of Ohio moves to recommit the bill, H.R. 5677, to the Committee on Appropriations.

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.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. NATCHER. Mr. Chairman, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 345, nays 54, not voting 35, as follows:

[Roll No. 322]

YEAS—345

- Abercrombie Carper Erdreich
Ackerman Carr Espy
Alexander Chandler Evans
Andrews (ME) Chapman Ewing
Andrews (NJ) Clay Fascell
Andrews (TX) Clement Fawell
Annunzio Clinger Fazio
Anthony Coleman (MO) Feighan
Applegate Coleman (TX) Fish
AuCoin Collins (MI) Flake
Bacchus Condit Foglietta
Barrett Cooper Ford (MI) LaRocco
Bateman Costello Frank (MA) Laughlin
Bellenson Cox (IL) Franks (CT) Leach
Bentley Coyne Frost Lehman (CA)
Bereuter Cramer Gallegly Lehman (FL)
Berman Darden Gallo Lent
Bevill Davis Gaydos Lewis (MI)
Bilbray de la Garza Gejdenson Porter
Billrakis DeFazio Gekas Lewis (GA)
Blackwell DeLauro Gephardt Lightfoot
Bliley Dellums Geren Lipinski
Boehlert Derrick Gibbons Livingston
Bonior Dingell Gilchrest Lloyd
Borski Dixon Gillmor Long
Boucher Dooley Gilman Lowery (CA)
Brewster Dorgan (ND) Glickman Lowey (NY)
Brooks Downey Gonzalez Luken
Broomfield Duncan Goodling Manton
Browder Durbin Gordon Markey
Brown Dwyer Goss Marlenee
Bruce Early Gradison Marlinee
Bryant Eckart Grandy Martin
Bustamante Edwards (CA) Green Martinez
Byron Edwards (TX) Guarini Mavroules
Camp Emerson Gunderson Mazzoli
Cardin English Hall (OH) McCandless

- Hall (TX) McCloskey Rogers
Hamilton McCrery Ros-Lehtinen
Hammerschmidt McCurdy Rose
Harris McDermott Rostenkowski
Hastert McGrath Roukema
Hayes (IL) McHugh Royland
Hayes (LA) McMillan (NC) Roybal
Hefner McMillan (MD) Sabo
Henry McNulty Sanders
Hertel Meyers Sangmeister
Hoagland Mfume Santorum
Hobson Michel Sarpallius
Hochbrueckner Miller (CA) Savage
Hopkins Miller (WA) Sawyer
Horn Mineta Saxton
Horton Mink Scheuer
Houghton Moakley Schiff
Hoyer Molinari Schroeder
Hubbard Montgomery Schulze
Huckaby Moody Schumer
Hughes Moran Serrano
Hutto Morella Sharp
Hyde Morrison Shaw
Jacobs Mrazek Shays
James Murphy Sikorski
Jefferson Murtha Sisisky
Jenkins Myers Skaggs
Johnson (CT) Natcher Skeen
Johnson (SD) Neal (MA) Skelton
Johnston Neal (NC) Slattery
Jones (GA) Nowak Slaughter
Jones (NC) Oakar Smith (FL)
Jontz Oberstar Smith (IA)
Kanjorski Obey Smith (NJ)
Kasich Olin Smith (OR)
Kennedy Oliver Smith (TX)
Kenny Ortiz Snowe
Kildee Orton Spence
Kleczka Owens (NY) Spratt
Klug Owens (UT) Staggers
Kolbe Oxley Stallings
Kolter Pallone Stark
Kopetski Panetta Stearns
Parker Parker Stenholm
LaFalce Pastor Stokes
Lagomarsino Patterson Stuudd
Lancaster Paxon Swett
LaRocco Payne (VA) Swift
Laughlin Pease Synar
Leach Penny Tallon
Lehman (CA) Peterson (FL) Tanner
Lehman (FL) Peterson (MN) Tauzin
Lent Petri Taylor (MS)
Levin (MI) Pickett Taylor (NC)
Porter Porter Thomas (CA)
Poshard Thornton
Price Torres
Pursell Torricelli
Quillen Traficant
Rahall Traxler
Ramstad Unsoeld
Rangel Upton
Ravenel Valentine
Reed Vander Jagt
Regula Vento
Rhodes Visclosky
Richardson Volkmer
Ridge Vucanovich
Riggs Walsh
Rinaldo Washington
Ritter Waters
Roe Waxman
Roemer Weber

- Weiss Wilson Yates
Weldon Wolf Yatron
Wheat Wolpe Young (AK)
Whitten Wyden Young (FL)
Williams Wylie Zimmer

NAYS—54

- Allard Dannemeyer McEwen
Allen DeLay Miller (OH)
Archer Dickinson Moorhead
Army Doolittle Nichols
Baker Dornan (CA) Nussle
Ballenger Dreier Packard
Barton Fields Roberts
Bennett Hancock Rohrabacher
Boehner Hansen Roth
Bunning Hefley Schaefer
Burton Herger Sensenbrenner
Callahan Holloway Shuster
Campbell (CA) Hunter Solomon
Coble Inhofe Stump
Combust Johnson (TX) Sundquist
Cox (CA) Kyl Thomas (WY)
Crane Lewis (FL) Walker
Cunningham McCollum Zelliff

NOT VOTING—35

- Anderson Edwards (OK) Nagle
Aspin Engel Payne (NJ)
Atkins Ford (TN) Pelosi
Barnard Gingrich Perkins
Boxer Hatcher Pickle
Campbell (CO) Ireland Ray
Collins (IL) Kaptur Russo
Conyers Lantos Solarz
Coughlin Levine (CA) Thomas (GA)
Dicks Matsui Towns
Donnelly McDeade Wise
Dymally Mollohan

□ 1308

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a detailed table showing the amounts provided for in H.R. 5677, the bill just passed, and that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous material, along with tables and charts.

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

There was no objection.

The table referred to follows:

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>SUMMARY</b>					
<b>Title I - Department of Labor:</b>					
Federal Funds.....	7,518,049,000	7,999,614,000	8,084,255,000	+566,206,000	+84,641,000
Current year.....	(7,330,349,000)	(7,811,914,000)	(8,084,255,000)	(+753,908,000)	(+272,341,000)
1994 advance.....	(187,700,000)	(187,700,000)		(-187,700,000)	(-187,700,000)
Trust Funds.....	(3,697,527,000)	(3,568,487,000)	(3,589,103,000)	(-108,424,000)	(+20,636,000)
<b>Title II - Department of Health and Human Services:</b>					
Federal Funds.....	182,914,610,000	206,120,270,000	206,023,598,000	+23,108,988,000	-96,672,000
Current year.....	(156,376,610,000)	(169,250,925,000)	(169,515,598,000)	(+13,138,988,000)	(+264,673,000)
1994 advance.....	(26,538,000,000)	(36,869,345,000)	(36,508,000,000)	(+9,970,000,000)	(-361,345,000)
Trust Funds.....	(6,895,123,000)	(6,879,153,000)	(6,714,676,000)	(-180,447,000)	(-164,477,000)
<b>Title III - Department of Education:</b>					
Federal Funds.....	27,275,434,000	29,241,217,000	28,931,697,000	+1,656,263,000	-309,520,000
Current year.....	(27,265,939,000)	(29,241,217,000)	(28,931,697,000)	(+1,665,758,000)	(-309,520,000)
FY 1993 - 1995.....	(9,495,000)			(-9,495,000)	
Total including Guaranteed Student Loans.....	(29,411,264,000)	(32,292,147,000)	(31,982,627,000)	(+2,571,363,000)	(-309,520,000)
<b>Title IV - Related Agencies:</b>					
Federal Funds.....	1,057,259,000	1,058,190,000	1,038,979,000	-18,280,000	-19,211,000
Current year.....	(782,259,000)	(783,190,000)	(766,729,000)	(-15,530,000)	(-16,461,000)
1995 advance.....	(275,000,000)	(275,000,000)	(272,250,000)	(-2,750,000)	(-2,750,000)
Trust Funds.....	(107,637,000)	(114,217,000)	(110,698,000)	(+3,061,000)	(-3,519,000)
<b>Total, all titles:</b>					
Federal Funds.....	218,765,352,000	244,419,291,000	244,078,529,000	+25,313,177,000	-340,762,000
Current year.....	(191,755,157,000)	(207,087,246,000)	(207,298,279,000)	(+15,543,122,000)	(+211,033,000)
1993 - 1995 advance.....	(9,495,000)			(-9,495,000)	
1994 advance.....	(26,725,700,000)	(37,057,045,000)	(36,508,000,000)	(+9,782,300,000)	(-549,045,000)
1995 advance.....	(275,000,000)	(275,000,000)	(272,250,000)	(-2,750,000)	(-2,750,000)
Trust Funds.....	(10,700,287,000)	(10,561,837,000)	(10,414,477,000)	(-285,810,000)	(-147,360,000)
<b>TITLE I - DEPARTMENT OF LABOR</b>					
<b>EMPLOYMENT AND TRAINING ADMINISTRATION</b>					
<b>PROGRAM ADMINISTRATION</b>					
Job training programs.....	21,193,000	23,087,000	23,087,000	+1,894,000	
Trust funds.....	(2,123,000)	(2,210,000)	(2,210,000)	(+87,000)	
Employment security.....	442,000	461,000	461,000	+19,000	
Trust funds.....	(13,152,000)	(13,734,000)	(13,734,000)	(+582,000)	
Financial and administrative management.....	13,790,000	15,470,000	15,470,000	+1,680,000	
Trust funds.....	(10,421,000)	(10,871,000)	(10,871,000)	(+450,000)	
Executive direction and administration.....	4,376,000	4,864,000	4,864,000	+488,000	
Trust funds.....	(3,870,000)	(4,274,000)	(4,274,000)	(+404,000)	
Regional operations.....	16,132,000	16,523,000	16,523,000	+391,000	
Trust funds.....	(26,068,000)	(27,477,000)	(27,477,000)	(+1,409,000)	
Apprenticeship services.....	16,732,000	17,324,000	17,324,000	+592,000	
Undistributed.....			-777,000	-777,000	-777,000
Undistributed, trust funds.....			(-3,488,000)	(-3,488,000)	(-3,488,000)
<b>Total, Program Administration.....</b>	<b>128,299,000</b>	<b>136,295,000</b>	<b>132,030,000</b>	<b>+3,731,000</b>	<b>-4,265,000</b>
Federal funds.....	72,865,000	77,729,000	76,952,000	+4,287,000	-777,000
Trust funds.....	(55,634,000)	(58,566,000)	(55,078,000)	(-556,000)	(-3,488,000)
<b>TRAINING AND EMPLOYMENT SERVICES</b>					
<b>Grants to States:</b>					
Block grant.....	1,773,484,000	1,771,550,000	1,755,749,000	-17,735,000	-15,601,000
Summer youth employment and training program.....	495,212,000	495,212,000	676,083,000	+180,871,000	+180,871,000
Advance appropriation, 10/1.....	187,700,000	187,700,000		-187,700,000	-187,700,000
Dislocated worker assistance.....	576,986,000	542,986,000	571,216,000	-5,770,000	+28,230,000
Reappropriation.....		34,000,000			-34,000,000
<b>Federally administered programs:</b>					
Native Americans.....	63,000,000	58,461,000	62,370,000	-630,000	+3,909,000
Migrants and seasonal farmworkers.....	77,644,000	56,690,000	76,868,000	-776,000	+20,178,000
<b>Job Corps:</b>					
Operations.....	846,533,000	900,803,000	898,722,000	+52,189,000	-2,081,000
Construction and renovation.....	73,000,000		90,288,000	+17,288,000	+90,288,000
Reappropriation.....	35,568,000	8,700,000		-35,568,000	-8,700,000
Subtotal, Job Corps.....	955,101,000	909,503,000	989,010,000	+33,909,000	+79,507,000
Veterans' employment.....	9,120,000	8,863,000	9,029,000	-91,000	+168,000

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor,  
Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>National activities:</b>					
Pilots and demonstrations.....	35,753,000	35,753,000	35,395,000	-358,000	-358,000
Research, demonstration and evaluation .....	10,000,000	10,000,000	9,900,000	-100,000	-100,000
Other .....	23,606,000	7,500,000	15,246,000	-8,360,000	+7,746,000
<b>Subtotal, National activities .....</b>	<b>69,359,000</b>	<b>53,253,000</b>	<b>60,541,000</b>	<b>-8,818,000</b>	<b>+7,288,000</b>
<b>Subtotal, Federal activities.....</b>	<b>1,174,224,000</b>	<b>1,088,770,000</b>	<b>1,197,818,000</b>	<b>+23,594,000</b>	<b>+111,048,000</b>
<b>Total, Job Training Partnership Act.....</b>	<b>4,207,606,000</b>	<b>4,118,218,000</b>	<b>4,200,866,000</b>	<b>-6,740,000</b>	<b>+82,648,000</b>
Job training for the homeless.....	9,312,000	17,000,000	12,870,000	+3,558,000	-4,130,000
National literacy act.....	1,247,000	1,247,000			-1,247,000
<b>Total, Training and Employment Services.....</b>	<b>4,216,918,000</b>	<b>4,136,465,000</b>	<b>4,213,736,000</b>	<b>-3,182,000</b>	<b>+77,271,000</b>
Current year.....	(4,029,218,000)	(3,948,765,000)	(4,213,736,000)	(+184,518,000)	(+264,971,000)
FY 1994.....	(187,700,000)	(187,700,000)		(-187,700,000)	(-187,700,000)
<b>COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS</b>					
National contracts.....	308,241,000	267,385,000	305,159,000	-3,082,000	+37,764,000
State grants.....	86,940,000	75,419,000	86,071,000	-869,000	+10,652,000
<b>Total.....</b>	<b>395,181,000</b>	<b>342,804,000</b>	<b>391,230,000</b>	<b>-3,951,000</b>	<b>+48,416,000</b>
<b>FEDERAL UNEMPLOYMENT AND ALLOWANCES 1/</b>					
Trade adjustment.....	226,000,000	211,000,000	211,000,000	-15,000,000	
Other activities.....	250,000	250,000	250,000		
<b>Total.....</b>	<b>226,250,000</b>	<b>211,250,000</b>	<b>211,250,000</b>	<b>-15,000,000</b>	
<b>STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS</b>					
<b>Unemployment Compensation (Trust Funds):</b>					
State Operations.....	(1,510,973,000)	(1,657,926,000)	(1,654,639,000)	(+143,666,000)	(-3,287,000)
State integrity activities .....	(290,723,000)	(346,756,000)	(329,996,000)	(+39,273,000)	(-16,760,000)
National Activities.....	(6,486,000)	(8,900,000)	(8,811,000)	(+2,325,000)	(-89,000)
Contingency .....	(440,703,000)	(302,331,000)	(338,908,000)	(-101,795,000)	(+36,577,000)
Contingency bill language (OMB estimate) .....	(227,400,000)	(65,500,000)	(65,500,000)	(-161,900,000)	
<b>Subtotal.....</b>	<b>(2,476,285,000)</b>	<b>(2,381,413,000)</b>	<b>(2,397,854,000)</b>	<b>(-78,431,000)</b>	<b>(+16,441,000)</b>
<b>Employment Service:</b>					
<b>Allotments to States:</b>					
Federal funds.....	21,838,000	24,648,000	21,620,000	-2,180,000	-3,028,000
Trust funds.....	(799,770,000)	(796,960,000)	(791,772,000)	(-7,998,000)	(-5,188,000)
<b>Subtotal.....</b>	<b>821,608,000</b>	<b>821,608,000</b>	<b>813,392,000</b>	<b>-8,216,000</b>	<b>-8,216,000</b>
<b>National Activities:</b>					
Federal funds.....	2,200,000	2,038,000	2,018,000	-182,000	-20,000
Trust funds 2/.....	(79,938,000)	(67,972,000)	(67,292,000)	(-12,646,000)	(-680,000)
Targeted jobs tax credit.....	(20,000,000)			(-20,000,000)	
<b>Subtotal, Employment Service .....</b>	<b>923,746,000</b>	<b>891,618,000</b>	<b>882,702,000</b>	<b>-41,044,000</b>	<b>-8,916,000</b>
Federal funds.....	24,038,000	26,686,000	23,638,000	-400,000	-3,048,000
Trust funds.....	(899,708,000)	(864,932,000)	(859,064,000)	(-40,844,000)	(-5,868,000)
<b>Total, State Unemployment 3/.....</b>	<b>3,400,031,000</b>	<b>3,273,031,000</b>	<b>3,280,556,000</b>	<b>-119,475,000</b>	<b>+7,525,000</b>
Federal Funds.....	24,038,000	26,686,000	23,638,000	-400,000	-3,048,000
Trust Funds.....	(3,375,993,000)	(3,246,345,000)	(3,256,918,000)	(-119,075,000)	(+10,573,000)
<b>ADVANCES TO UNEMPLOYMENT TRUST FUND AND OTHER FUNDS.....</b>	<b>236,990,000</b>	<b>665,000,000</b>	<b>665,000,000</b>	<b>+428,010,000</b>	
<b>Total, Employment and Training Administration.....</b>	<b>8,603,669,000</b>	<b>8,784,855,000</b>	<b>8,893,802,000</b>	<b>+290,133,000</b>	<b>+128,947,000</b>
Federal funds.....	5,172,042,000	5,459,944,000	5,581,806,000	+409,764,000	+121,862,000
Current year.....	(4,984,342,000)	(5,272,244,000)	(5,581,806,000)	(+597,464,000)	(+309,562,000)
FY 1994.....	(187,700,000)	(187,700,000)		(-187,700,000)	(-187,700,000)
Trust funds.....	(3,431,627,000)	(3,304,911,000)	(3,311,996,000)	(-119,631,000)	(+7,085,000)
<b>LABOR - MANAGEMENT STANDARDS SALARIES AND EXPENSES</b>					
Labor-management relations service.....	5,415,000			-5,415,000	
Labor-management standards enforcement.....	25,997,000	26,485,000	26,220,000	+223,000	-265,000
<b>Total, LMS.....</b>	<b>31,412,000</b>	<b>26,485,000</b>	<b>26,220,000</b>	<b>-5,192,000</b>	<b>-265,000</b>

1/ FY93 request includes \$168,700,000 in legislative savings proposed for later transmittal.

2/ FY92 includes \$12,500,000 for computer operations, not available for obligation until 9/30/92. No delay included in recommendation. Reflects rescission enacted 6/92.

3/ Includes Federal, Trust and advance Trust funds.

H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>PENSION AND WELFARE BENEFITS ADMINISTRATION</b>					
<b>SALARIES AND EXPENSES</b>					
Enforcement and compliance .....	47,561,000	51,117,000	51,117,000	+3,556,000	
Policy, regulation and public service .....	10,976,000	11,779,000	11,779,000	+803,000	
Executive direction .....	3,473,000	3,792,000	3,792,000	+319,000	
Undistributed .....			-2,932,000	-2,932,000	-2,932,000
<b>Total, PWBA .....</b>	<b>62,010,000</b>	<b>66,688,000</b>	<b>63,756,000</b>	<b>+1,746,000</b>	<b>-2,932,000</b>
<b>PENSION BENEFIT GUARANTY CORPORATION</b>					
Program Administration subject to limitation (Trust Funds) .....	(38,487,000)	(35,209,000)	(34,857,000)	(-3,630,000)	(-352,000)
Services related to terminations not subject to limitations (non-add) .....	(64,929,000)	(70,508,000)	(70,508,000)	(+5,579,000)	
<b>Total, PBGC .....</b>	<b>(103,416,000)</b>	<b>(105,717,000)</b>	<b>(105,365,000)</b>	<b>(+1,949,000)</b>	<b>(-352,000)</b>
<b>EMPLOYMENT STANDARDS ADMINISTRATION</b>					
<b>SALARIES AND EXPENSES</b>					
Enforcement of wage and hour standards .....	94,650,000	99,053,000	99,053,000	+4,403,000	
Federal contractor EEO standards enforcement .....	54,789,000	58,114,000	58,114,000	+3,325,000	
Federal programs for workers' compensation .....	66,624,000	73,367,000	73,367,000	+6,743,000	
Trust funds .....	(1,009,000)	(1,056,000)	(999,000)	(-10,000)	(-57,000)
Executive direction and support services .....	10,616,000	11,961,000	11,961,000	+1,345,000	
Undistributed .....			-10,163,000	-10,163,000	-10,163,000
<b>Total, salaries and expenses .....</b>	<b>227,688,000</b>	<b>243,551,000</b>	<b>233,331,000</b>	<b>+5,643,000</b>	<b>-10,220,000</b>
Federal funds .....	226,679,000	242,495,000	232,332,000	+5,653,000	-10,163,000
Trust funds .....	(1,009,000)	(1,056,000)	(999,000)	(-10,000)	(-57,000)
<b>SPECIAL BENEFITS</b>					
Federal employees compensation benefits .....	188,000,000	286,000,000	286,000,000	+98,000,000	
Longshore and harbor workers' benefits .....	4,000,000	4,000,000	4,000,000		
<b>Total, Special Benefits .....</b>	<b>192,000,000</b>	<b>290,000,000</b>	<b>290,000,000</b>	<b>+98,000,000</b>	
<b>BLACK LUNG DISABILITY TRUST FUND</b>					
Benefit payments and interest on advances .....	861,135,000	888,251,000	888,251,000	+27,116,000	
Employment Standards Admin., salaries and expenses .....	30,145,000	28,726,000	29,726,000	-419,000	+1,000,000
Departmental Management, salaries and expenses .....	25,579,000	25,698,000	25,698,000	+119,000	
Departmental Management, inspector general .....	333,000	352,000	352,000	+19,000	
<b>Subtotal .....</b>	<b>917,192,000</b>	<b>943,027,000</b>	<b>944,027,000</b>	<b>+26,835,000</b>	<b>+1,000,000</b>
Treasury administrative costs (indefinite) .....	756,000	756,000	756,000		
<b>Total, Black Lung Disability Trust Fund .....</b>	<b>917,948,000</b>	<b>943,783,000</b>	<b>944,783,000</b>	<b>+26,835,000</b>	<b>+1,000,000</b>
<b>Total, Employment Standards Administration .....</b>	<b>1,337,636,000</b>	<b>1,477,334,000</b>	<b>1,468,114,000</b>	<b>+130,478,000</b>	<b>-9,220,000</b>
Federal funds .....	1,336,627,000	1,476,278,000	1,467,115,000	+130,488,000	-9,163,000
Trust funds .....	(1,009,000)	(1,056,000)	(999,000)	(-10,000)	(-57,000)
<b>OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION</b>					
<b>SALARIES AND EXPENSES</b>					
Safety and health standards .....	7,836,000	8,214,000	8,214,000	+378,000	
Enforcement:					
Federal Enforcement .....	130,975,000	137,628,000	137,628,000	+6,653,000	
State programs .....	65,010,000	68,927,000	68,927,000	+3,917,000	
Technical Support .....	17,426,000	18,105,000	18,105,000	+679,000	
Compliance Assistance .....	38,870,000	40,819,000	40,819,000	+1,949,000	
Safety and health statistics .....	12,760,000	12,998,000	12,998,000	+238,000	
Executive direction and administration .....	6,909,000	7,234,000	7,234,000	+325,000	
Undistributed .....			-6,825,000	-6,825,000	-6,825,000
<b>Total, OSHA .....</b>	<b>279,786,000</b>	<b>293,925,000</b>	<b>287,100,000</b>	<b>+7,314,000</b>	<b>-6,825,000</b>
<b>MINE SAFETY AND HEALTH ADMINISTRATION</b>					
<b>SALARIES AND EXPENSES</b>					
Enforcement:					
Coal .....	93,542,000	103,711,000	103,711,000	+10,169,000	
Metal/nonmetal .....	37,129,000	39,761,000	39,761,000	+2,632,000	
Standards development .....	1,384,000	1,475,000	1,475,000	+91,000	
Assessments .....	2,455,000	2,517,000	2,517,000	+62,000	
Educational policy and development .....	13,467,000	8,652,000	13,467,000		+4,815,000
Technical support .....	21,251,000	21,858,000	21,858,000	+607,000	
Program administration .....	12,808,000	13,075,000	13,075,000	+267,000	
Undistributed .....			-3,934,000	-3,934,000	-3,934,000
<b>Total, Mine Safety and Health Administration .....</b>	<b>182,036,000</b>	<b>191,049,000</b>	<b>191,930,000</b>	<b>+9,894,000</b>	<b>+881,000</b>

H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>BUREAU OF LABOR STATISTICS</b>					
<b>SALARIES AND EXPENSES</b>					
Employment and Unemployment Statistics.....	82,419,000	87,377,000	87,377,000	+4,958,000	.....
Labor Market Information (Trust Funds).....	(49,799,000)	(51,539,000)	(49,301,000)	(-498,000)	(-2,238,000)
Prices and cost of living.....	84,029,000	90,591,000	90,591,000	+6,562,000	.....
Compensation and working conditions.....	60,650,000	66,324,000	66,324,000	+5,674,000	.....
Productivity and technology.....	6,316,000	6,809,000	6,809,000	+493,000	.....
Economic growth and employment projections.....	3,844,000	4,115,000	4,115,000	+271,000	.....
Executive direction and staff services.....	30,839,000	27,099,000	27,099,000	-3,740,000	.....
Undistributed.....	.....	.....	-8,105,000	-8,105,000	-8,105,000
<b>Total, Bureau of Labor Statistics.....</b>	<b>317,896,000</b>	<b>333,854,000</b>	<b>325,511,000</b>	<b>+7,615,000</b>	<b>-8,343,000</b>
Federal Funds.....	268,097,000	282,315,000	276,210,000	+8,113,000	-6,105,000
Trust Funds.....	(49,799,000)	(51,539,000)	(49,301,000)	(-498,000)	(-2,238,000)
<b>DEPARTMENTAL MANAGEMENT</b>					
<b>SALARIES AND EXPENSES</b>					
Executive direction.....	21,419,000	29,797,000	21,419,000	.....	-8,378,000
Legal services.....	57,786,000	60,172,000	60,172,000	+2,386,000	.....
Trust funds.....	(332,000)	(336,000)	(329,000)	(-3,000)	(-7,000)
International labor affairs.....	7,211,000	7,855,000	7,855,000	+644,000	.....
Administration and management.....	15,575,000	15,503,000	15,503,000	-72,000	.....
Adjudication.....	16,147,000	17,118,000	17,118,000	+971,000	.....
Promoting employment of the disabled.....	4,321,000	4,238,000	4,238,000	-83,000	.....
Women's Bureau.....	7,940,000	7,565,000	7,565,000	-375,000	.....
Civil Rights Activities.....	4,534,000	5,064,000	5,064,000	+530,000	.....
Chief Financial Officer.....	5,805,000	6,884,000	6,884,000	+1,079,000	.....
Undistributed.....	.....	.....	-2,527,000	-2,527,000	-2,527,000
<b>Total, Salaries and expenses.....</b>	<b>141,070,000</b>	<b>154,532,000</b>	<b>143,620,000</b>	<b>+2,550,000</b>	<b>-10,912,000</b>
Federal funds.....	140,738,000	154,196,000	143,291,000	+2,553,000	-10,905,000
Trust funds.....	(332,000)	(336,000)	(329,000)	(-3,000)	(-7,000)
<b>VETERANS EMPLOYMENT AND TRAINING</b>					
<b>State Administration:</b>					
Disabled Veterans Outreach Program.....	(77,901,000)	(77,901,000)	(82,665,000)	(+4,764,000)	(+4,764,000)
Local Veterans Employment Program.....	(71,924,000)	(71,924,000)	(76,725,000)	(+4,801,000)	(+4,801,000)
<b>Subtotal, State Administration.....</b>	<b>(149,825,000)</b>	<b>(149,825,000)</b>	<b>(159,390,000)</b>	<b>(+9,565,000)</b>	<b>(+9,565,000)</b>
Federal Administration.....	(19,651,000)	(21,027,000)	(25,047,000)	(+5,396,000)	(+4,020,000)
National Veterans Training Institute.....	(2,440,000)	.....	(2,871,000)	(+431,000)	(+2,871,000)
<b>Total, Trust Funds.....</b>	<b>(171,916,000)</b>	<b>(170,852,000)</b>	<b>(187,308,000)</b>	<b>(+15,392,000)</b>	<b>(+16,456,000)</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>					
<b>Audit:</b>					
Federal funds.....	20,149,000	21,349,000	21,349,000	+1,200,000	.....
Trust funds.....	(4,023,000)	(4,210,000)	(4,210,000)	(+187,000)	.....
<b>Investigation:</b>					
Federal funds.....	8,015,000	8,690,000	8,690,000	+675,000	.....
Trust funds.....	(334,000)	(354,000)	(354,000)	(+20,000)	.....
Office of Labor Racketeering.....	11,057,000	11,995,000	11,995,000	+938,000	.....
Executive Direction and Management.....	6,080,000	6,700,000	6,700,000	+620,000	.....
Undistributed.....	.....	.....	-1,907,000	-1,907,000	-1,907,000
Undistributed, trust funds.....	.....	.....	(-251,000)	(-251,000)	(-251,000)
<b>Total, Office of the Inspector General.....</b>	<b>49,658,000</b>	<b>53,298,000</b>	<b>51,140,000</b>	<b>+1,482,000</b>	<b>-2,158,000</b>
Federal funds.....	45,301,000	48,734,000	46,827,000	+1,526,000	-1,907,000
Trust funds.....	(4,357,000)	(4,564,000)	(4,313,000)	(-44,000)	(-251,000)
<b>Total, Departmental Management.....</b>	<b>362,644,000</b>	<b>378,682,000</b>	<b>382,068,000</b>	<b>+19,424,000</b>	<b>+3,386,000</b>
Federal funds.....	186,039,000	202,930,000	190,118,000	+4,079,000	-12,812,000
Trust funds.....	(176,805,000)	(175,752,000)	(191,950,000)	(+15,345,000)	(+16,198,000)
<b>Total, Labor Department 1/.....</b>	<b>11,215,576,000</b>	<b>11,568,081,000</b>	<b>11,673,358,000</b>	<b>+457,782,000</b>	<b>+105,277,000</b>
Federal funds.....	7,518,049,000	7,999,614,000	8,084,255,000	+566,206,000	+84,641,000
Current year.....	(7,330,349,000)	(7,811,914,000)	(8,084,255,000)	(+753,906,000)	(+272,341,000)
FY 1994.....	(187,700,000)	(187,700,000)	.....	(-187,700,000)	(-187,700,000)
Trust funds.....	(3,697,527,000)	(3,568,467,000)	(3,589,103,000)	(-108,424,000)	(+20,836,000)

1/ Includes Federal and Trust funds.

H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES</b>					
<b>HEALTH RESOURCES AND SERVICES ADMINISTRATION</b>					
<b>HEALTH RESOURCES AND SERVICES 1/</b>					
<b>Health Care Delivery and Assistance:</b>					
Community health centers 2/ .....	473,835,000	615,754,000	527,507,000	+53,672,000	-88,247,000
Transfer from "Educational excellence" .....	49,000,000	.....	.....	-49,000,000	.....
Infant mortality initiative .....	10,000,000	.....	.....	-10,000,000	.....
Subtotal, Community Health Centers .....	532,835,000	615,754,000	527,507,000	-5,328,000	-88,247,000
Migrant health centers 3/ .....	51,362,000	62,647,000	56,788,000	+5,426,000	-5,859,000
Transfer from "Educational excellence" .....	6,000,000	.....	.....	-6,000,000	.....
Subtotal, Migrant Health Centers .....	57,362,000	62,647,000	56,788,000	-574,000	-5,859,000
Black lung clinics .....	4,000,000	4,000,000	3,960,000	-40,000	-40,000
Health care for the homeless .....	55,792,000	67,683,000	55,234,000	-558,000	-12,449,000
<b>National Health Service Corps:</b>					
Field placements .....	41,456,000	54,588,000	43,065,000	+1,609,000	-11,523,000
Loans and scholarships .....	58,733,000	65,053,000	58,146,000	-587,000	-6,907,000
Subtotal, National Health Service Corps .....	100,189,000	119,641,000	101,211,000	+1,022,000	-18,430,000
Grants to communities for scholarships .....	487,000	487,000	482,000	-5,000	-5,000
Public housing health service grants .....	6,089,000	9,089,000	8,998,000	+2,908,000	-91,000
Ready to learn program .....	.....	6,000,000	.....	.....	-6,000,000
Hansen's disease services .....	19,489,000	18,963,000	18,773,000	-716,000	-190,000
Payment to Hawaii, treatment of Hansen's Disease .....	3,000,000	3,000,000	2,970,000	-30,000	-30,000
Native Hawaiian health care .....	3,596,000	.....	3,560,000	-36,000	+3,560,000
Pacific Basin initiative .....	2,547,000	.....	2,522,000	-25,000	+2,522,000
Home health demonstration grants .....	2,872,000	.....	2,843,000	-29,000	+2,843,000
Alzheimers demonstration grants .....	3,996,000	.....	3,956,000	-40,000	+3,956,000
Trauma care .....	4,449,000	.....	4,405,000	-44,000	+4,405,000
Total, Health Care Delivery and Assistance .....	796,703,000	907,264,000	793,209,000	-3,494,000	-114,055,000
<b>Maternal and child health:</b>					
Maternal and child health block grant .....	645,953,000	669,802,000	639,493,000	-6,460,000	-30,309,000
Healthy start .....	36,446,000	115,142,000	60,832,000	+24,386,000	-54,310,000
Additional appropriation 9/30 .....	25,000,000	25,000,000	.....	-25,000,000	-25,000,000
Subtotal, Healthy start .....	61,446,000	140,142,000	60,832,000	-614,000	-79,310,000
Pediatric emergency care .....	4,874,000	.....	4,825,000	-49,000	+4,825,000
Total, Maternal and child health .....	712,273,000	809,944,000	705,150,000	-7,123,000	-104,794,000
<b>Health Professions:</b>					
Exceptional need scholarships .....	9,748,000	11,429,000	11,315,000	+1,567,000	-114,000
Centers of excellence .....	23,945,000	23,943,000	23,706,000	-239,000	-237,000
Disadvantaged assistance .....	30,629,000	37,379,000	37,005,000	+6,376,000	-374,000
HPSL recapitalization .....	14,907,000	.....	11,068,000	-3,839,000	+11,068,000
Minority scholarships .....	17,438,000	17,415,000	17,264,000	-174,000	-151,000
Faculty loan repayment .....	976,000	1,073,000	1,062,000	+86,000	-11,000
Public health special projects .....	4,271,000	.....	3,171,000	-1,100,000	+3,171,000
Health administration grants .....	1,549,000	.....	1,150,000	-399,000	+1,150,000
Public health traineeships .....	3,412,000	.....	2,533,000	-879,000	+2,533,000
Health administration traineeships .....	482,000	.....	358,000	-124,000	+358,000
Preventive medicine residencies .....	1,631,000	.....	1,211,000	-420,000	+1,211,000
Family medicine residencies .....	35,805,000	.....	26,585,000	-9,220,000	+26,585,000
General dentistry residencies .....	3,803,000	.....	3,765,000	-38,000	+3,765,000
General internal medicine and pediatrics .....	17,179,000	.....	17,007,000	-172,000	+17,007,000
Family medicine departments .....	6,793,000	.....	5,044,000	-1,749,000	+5,044,000
Physician assistants .....	4,964,000	.....	3,686,000	-1,278,000	+3,686,000
Allied health .....	2,754,000	.....	2,045,000	-709,000	+2,045,000
Area health education centers .....	19,041,000	.....	14,138,000	-4,903,000	+14,138,000
Border health education centers .....	3,856,000	.....	2,863,000	-993,000	+2,863,000
Geriatric training and research .....	13,614,000	.....	10,108,000	-3,506,000	+10,108,000
Interdisciplinary traineeships .....	4,654,000	.....	3,455,000	-1,199,000	+3,455,000
Health professions data analysis .....	1,746,000	.....	1,297,000	-449,000	+1,297,000
Health professions special initiatives .....	2,362,000	.....	1,754,000	-608,000	+1,754,000
<b>Nurse training:</b>					
Advanced nurse education .....	12,370,000	.....	9,185,000	-3,185,000	+9,185,000
Nurse practitioners / nurse midwives .....	14,556,000	.....	10,808,000	-3,748,000	+10,808,000
Special projects .....	10,902,000	.....	8,094,000	-2,808,000	+8,094,000
Professional nurse traineeships .....	14,106,000	.....	10,474,000	-3,632,000	+10,474,000
Nurse disadvantaged assistance .....	3,375,000	4,122,000	4,081,000	+706,000	-41,000
Nurse anesthetists .....	1,917,000	.....	1,424,000	-493,000	+1,424,000
Undergraduate scholarships .....	2,377,000	.....	1,765,000	-612,000	+1,765,000
Loan repayment for shortage area service .....	1,453,000	.....	1,079,000	-374,000	+1,079,000
Subtotal, Nurse training .....	61,056,000	4,122,000	46,910,000	-14,146,000	+42,788,000
Total, Health professions .....	286,615,000	95,361,000	248,500,000	-38,115,000	+153,139,000

1/ Includes a total of \$125,000,000 of delayed obligations until 9/30 for both FY92 and FY93 request. No delays included in recommendation.  
 2/ \$49 million of total is available on 7/1 in FY93 request. No delays included in recommendation.  
 3/ \$6 million of total is available on 7/1 in FY93 request. No delays included in recommendation.

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor,  
Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>Resources development:</b>					
Organ transplantation.....	2,877,000	2,818,000	2,790,000	-87,000	-28,000
Health teaching facilities interest subsidies.....	450,000	418,000	414,000	-36,000	-4,000
<b>Total, Resources Development.....</b>	<b>3,327,000</b>	<b>3,236,000</b>	<b>3,204,000</b>	<b>-123,000</b>	<b>-32,000</b>
<b>Acquired Immune Deficiency Syndrome (AIDS):</b>					
Education and training centers.....	16,886,000	16,760,000	16,592,000	-294,000	-168,000
Pediatric demonstrations.....	19,350,000	19,350,000	19,156,000	-194,000	-194,000
<b>Ryan White AIDS Programs:</b>					
Emergency assistance.....	120,518,000	147,265,000	161,865,000	+41,347,000	+14,600,000
Comprehensive care programs.....	106,690,000	106,690,000	116,325,000	+9,635,000	+9,635,000
Early intervention program.....	48,859,000	48,859,000	48,370,000	-489,000	-489,000
<b>Subtotal, Ryan White AIDS programs.....</b>	<b>276,067,000</b>	<b>302,814,000</b>	<b>326,560,000</b>	<b>+50,493,000</b>	<b>+23,746,000</b>
<b>Subtotal, AIDS.....</b>	<b>312,303,000</b>	<b>338,924,000</b>	<b>362,308,000</b>	<b>+50,005,000</b>	<b>+23,384,000</b>
Minority male grant.....	1,350,000	5,000,000	4,950,000	+3,600,000	-50,000
Family planning.....	149,575,000	154,575,000	148,079,000	-1,496,000	-8,496,000
Rural health research.....	4,115,000	3,960,000	3,920,000	-195,000	-40,000
Rural outreach grants.....	21,175,000	.....	20,963,000	-212,000	+20,963,000
Buildings and facilities.....	.....	1,000,000	990,000	+990,000	-10,000
National practitioner data bank.....	5,378,000	8,000,000	6,000,000	+621,000	-2,000,000
User fees.....	-5,000,000	-8,000,000	-6,000,000	-1,000,000	+2,000,000
Program management.....	121,672,000	121,270,000	125,235,000	+3,563,000	+3,965,000
Rescission of delayed obligations.....	-625,000	.....	.....	+625,000	.....
<b>Total, Health resources and services.....</b>	<b>2,408,662,000</b>	<b>2,440,534,000</b>	<b>2,416,508,000</b>	<b>+7,646,000</b>	<b>-24,026,000</b>
<b>MEDICAL FACILITIES GUARANTEE AND LOAN FUND: Interest subsidy program.....</b>					
	18,600,000	16,000,000	10,900,000	-7,700,000	-5,100,000
<b>HEALTH EDUCATION ASSISTANCE LOANS PROGRAM (HEAL):</b>					
New loan subsidies.....	30,000,000	20,884,000	26,332,000	-3,668,000	+5,448,000
Liquidating account (non-add).....	(48,000,000)	(54,432,000)	(54,432,000)	(+6,432,000)	.....
HEAL loan limitation (non-add).....	(290,000,000)	(230,000,000)	(290,000,000)	.....	(+60,000,000)
Program management.....	1,500,000	3,000,000	2,970,000	+1,470,000	-30,000
<b>Total, HEAL.....</b>	<b>31,500,000</b>	<b>23,884,000</b>	<b>29,302,000</b>	<b>-2,198,000</b>	<b>+5,418,000</b>
<b>VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:</b>					
Post - FY88 claims (trust fund).....	84,920,000	84,920,000	84,920,000	.....	.....
HRSA administration (trust fund).....	2,500,000	2,500,000	2,500,000	.....	.....
<b>Subtotal, Vaccine Injury compensation trust fund.....</b>	<b>87,420,000</b>	<b>87,420,000</b>	<b>87,420,000</b>	.....	.....
<b>VACCINE INJURY COMPENSATION:</b>					
Pre - FY88 claims (appropriation).....	80,000,000	80,000,000	80,000,000	.....	.....
<b>Total, Vaccine injury.....</b>	<b>167,420,000</b>	<b>167,420,000</b>	<b>167,420,000</b>	.....	.....
<b>Total, Health Resources and Services Administration.....</b>	<b>2,626,382,000</b>	<b>2,647,838,000</b>	<b>2,624,130,000</b>	<b>-2,252,000</b>	<b>-23,708,000</b>
<b>CENTERS FOR DISEASE CONTROL</b>					
<b>DISEASE CONTROL, RESEARCH AND TRAINING 1/</b>					
Preventive Health Services Block Grant.....	134,512,000	134,521,000	133,167,000	-1,345,000	-1,354,000
Prevention centers.....	5,184,000	5,184,000	5,132,000	-52,000	-52,000
<b>Sexually transmitted diseases:</b>					
Grants.....	77,525,000	77,638,000	76,750,000	-775,000	-888,000
Direct operations.....	11,296,000	11,872,000	11,753,000	+457,000	-119,000
<b>Subtotal, Sexually transmitted diseases.....</b>	<b>88,821,000</b>	<b>89,510,000</b>	<b>88,503,000</b>	<b>-318,000</b>	<b>-1,007,000</b>
<b>Immunization:</b>					
Grants.....	248,822,000	289,272,000	286,379,000	+37,557,000	-2,893,000
Additional appropriations 9/30.....	10,000,000	.....	.....	-10,000,000	.....
Direct operations.....	35,352,000	52,372,000	51,848,000	+16,496,000	-524,000
Vaccine stockpile.....	.....	5,000,000	4,950,000	+4,950,000	-50,000
Adverse events reporting.....	2,470,000	2,470,000	2,445,000	-25,000	-25,000
<b>Subtotal, Immunization programs.....</b>	<b>296,644,000</b>	<b>349,114,000</b>	<b>345,622,000</b>	<b>+48,978,000</b>	<b>-3,492,000</b>
<b>Infectious disease.....</b>	<b>40,625,000</b>	<b>41,518,000</b>	<b>41,103,000</b>	<b>+478,000</b>	<b>-415,000</b>
<b>Tuberculosis:</b>					
Grants.....	15,321,000	35,000,000	34,650,000	+19,329,000	-350,000
Emergency grants.....	.....	.....	39,600,000	+39,600,000	+39,600,000
Program operations.....	5,372,000	5,372,000	5,318,000	-54,000	-54,000
<b>Subtotal, Tuberculosis.....</b>	<b>20,693,000</b>	<b>40,372,000</b>	<b>79,568,000</b>	<b>+58,875,000</b>	<b>+39,196,000</b>
Acquired Immune Deficiency Syndrome (AIDS).....	480,132,000	504,678,000	504,581,000	+24,449,000	-97,000
Chronic and environmental disease prevention.....	67,744,000	66,943,000	66,510,000	-1,234,000	-433,000
Lead poisoning prevention.....	21,302,000	40,000,000	21,089,000	-213,000	-18,811,000
Breast and cervical cancer screening.....	49,861,000	69,961,000	69,300,000	+19,339,000	-661,000
Injury control.....	27,377,000	27,498,000	32,175,000	+4,798,000	+4,677,000

1/ Includes a total of \$134,000,000 of delayed obligations until 9/30 for both FY92 and FY93 request. No delays included in recommendation.

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>Occupational Safety and Health (NIOSH):</b>					
Research.....	92,478,000	73,594,000	91,949,000	-529,000	+ 18,355,000
Training.....	10,972,000	10,972,000	10,882,000	-110,000	-110,000
Subtotal, NIOSH.....	103,450,000	84,566,000	102,811,000	-639,000	+ 18,245,000
Epidemic services.....	73,022,000	77,711,000	74,250,000	+ 1,228,000	-3,461,000
<b>National Center for Health Statistics:</b>					
Program operations.....	48,310,000	47,591,000	51,873,000	+ 3,563,000	+ 4,282,000
Program support.....	2,988,000	3,021,000	2,981,000	+ 3,000	-30,000
1% evaluation funds (non-add).....	(29,400,000)	(34,206,000)	(29,106,000)	(-294,000)	(-5,100,000)
Subtotal, health statistics.....	51,298,000	50,612,000	54,884,000	+ 3,568,000	+ 4,252,000
Buildings and facilities.....	25,600,000	15,000,000	6,930,000	-18,670,000	-8,070,000
Program management.....	2,843,000	3,497,000	3,462,000	+ 619,000	-35,000
Rescission of delayed obligations.....	-670,000			+ 670,000	
Salaries and expenses reduction.....			-9,900,000	-9,900,000	-9,900,000
<b>Total, Disease Control.....</b>	<b>1,488,538,000</b>	<b>1,600,685,000</b>	<b>1,619,167,000</b>	<b>+ 130,629,000</b>	<b>+ 18,482,000</b>
<b>NATIONAL INSTITUTES OF HEALTH (INCLUDES AIDS) 1/</b>					
National Cancer Institute.....	1,951,541,000	2,010,439,000	1,998,616,000	+ 47,075,000	-11,823,000
National Heart, Lung, and Blood Institute.....	1,191,500,000	1,245,396,000	1,228,455,000	+ 36,955,000	-16,941,000
National Institute of Dental Research 2/.....	159,057,000	166,742,000	163,269,000	+ 4,212,000	-3,473,000
National Institute of Diabetes, Digestive, and Kidney Diseases.....	662,678,000	699,809,000	688,633,000	+ 25,955,000	-11,176,000
National Institute of Neurological Disorders and Stroke.....	581,847,000	615,190,000	605,100,000	+ 23,253,000	-10,090,000
National Institute of Allergy and Infectious Diseases.....	960,914,000	1,010,845,000	990,055,000	+ 29,141,000	-20,790,000
National Institute of General Medical Sciences.....	815,134,000	862,069,000	842,229,000	+ 27,095,000	-19,840,000
National Institute of Child Health and Human Development.....	519,724,000	545,238,000	534,094,000	+ 14,370,000	-11,144,000
National Eye Institute.....	270,300,000	285,133,000	279,102,000	+ 8,802,000	-6,031,000
National Institute of Environmental Health Sciences.....	252,031,000	261,513,000	255,115,000	+ 3,084,000	-6,398,000
National Institute on Aging.....	383,611,000	407,284,000	402,218,000	+ 18,607,000	-5,066,000
National Institute of Arthritis and Musculoskeletal and Skin Diseases.....	203,913,000	214,929,000	214,619,000	+ 10,706,000	-310,000
National Institute on Deafness and Other Communication Disorders.....	149,102,000	157,301,000	153,466,000	+ 4,364,000	-3,835,000
National Center for Research Resources.....	314,551,000	318,231,000	314,351,000	-200,000	-3,880,000
HBCU facilities.....		12,000,000			-12,000,000
Subtotal.....	314,551,000	330,231,000	314,351,000	-200,000	-15,880,000
National Center for Nursing Research.....	44,970,000	48,568,000	47,363,000	+ 2,393,000	-1,205,000
National Center for Human Genome Research.....	104,878,000	110,429,000	107,217,000	+ 2,339,000	-3,212,000
John E. Fogarty International Center.....	19,609,000	20,727,000	20,133,000	+ 524,000	-594,000
National Library of Medicine.....	103,323,000	108,662,000	105,024,000	+ 1,701,000	-3,638,000
Office of the Director.....	142,112,000	203,430,000	191,917,000	+ 49,805,000	-11,513,000
Buildings and facilities.....	103,840,000	72,518,000	70,090,000	-33,750,000	-2,428,000
Rescission of delayed obligations.....	-2,875,000			+ 2,875,000	
<b>Total N.I.H.....</b>	<b>8,931,760,000</b>	<b>9,376,453,000</b>	<b>9,211,066,000</b>	<b>+ 279,306,000</b>	<b>-165,367,000</b>
<b>ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION</b>					
<b>ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH (INCLUDES AIDS) 3/</b>					
<b>National Institute of Mental Health:</b>					
Research.....	530,990,000	563,716,000	542,736,000	+ 11,746,000	-20,980,000
Children's mental health.....			4,950,000	+ 4,950,000	+ 4,950,000
Clinical training.....	10,835,000			-10,835,000	
Community support demonstrations.....	24,885,000	24,885,000	24,636,000	-249,000	-249,000
Prevention demonstrations.....	5,478,000			-5,478,000	
Grants to States for the homeless (PATH).....	30,000,000	30,000,000	29,700,000	-300,000	-300,000
Homeless services demonstrations.....	5,881,000	10,861,000	5,802,000	-59,000	-5,059,000
Protection and advocacy.....	19,500,000		19,305,000	-195,000	+ 19,305,000
Direct operations.....	43,715,000	46,413,000	44,550,000	+ 835,000	-1,863,000
Subtotal, mental health.....	671,264,000	675,875,000	671,679,000	+ 415,000	-4,196,000
<b>National Institute on Drug Abuse:</b>					
Research.....	275,777,000	291,418,000	280,414,000	+ 4,637,000	-11,004,000
Treatment demonstrations.....	46,852,000	48,692,000	46,383,000	-469,000	-2,309,000
AIDS demonstrations.....	81,152,000	83,317,000	80,540,000	-612,000	-2,777,000
Direct operations.....	34,866,000	36,773,000	35,541,000	+ 673,000	-1,232,000
Subtotal, drug abuse.....	418,649,000	440,200,000	422,878,000	+ 4,229,000	-17,322,000
<b>National Institute on Alcoholism and Alcohol Abuse:</b>					
Research.....	155,755,000	163,746,000	157,845,000	+ 1,890,000	-6,101,000
Substance abuse homeless demonstrations.....	15,983,000	15,983,000	15,823,000	-160,000	-160,000
Direct operations.....	12,566,000	13,305,000	12,870,000	+ 304,000	-435,000
Subtotal, alcoholism.....	184,304,000	193,034,000	186,338,000	+ 2,034,000	-6,696,000

1/ Includes delayed obligation of \$575,000,000 until 9/30 for FY92 and \$619,000,000 for FY93 request. No delays included in recommendation.

2/ Reflects rescission enacted 6/92.

3/ Includes delayed obligations of \$164,100,000 until 9/30 for both FY92 and FY93 request; no delayed obligations are assumed for recommendation.

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor,  
Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>Office for Treatment Improvement:</b>					
Alcohol, Drug Abuse and Mental Health block grant.....	1,380,000,000	1,380,000,000	1,348,400,000	-13,600,000	-13,600,000
Treatment grants to crisis areas.....	35,986,000	40,000,000	39,600,000	+3,614,000	-400,000
Treatment improvement grants.....	93,313,000	134,329,000	117,146,000	+23,833,000	-17,183,000
Capacity expansion program.....		66,000,000	13,365,000	+13,365,000	-52,635,000
Transfer from forfeiture fund (non-add).....	(9,000,000)	(20,000,000)	(20,000,000)	(+11,000,000)	
Direct operations.....	7,656,000	14,090,000	9,900,000	+2,244,000	-4,190,000
Subtotal, Treatment Improvement.....	1,496,955,000	1,614,419,000	1,526,411,000	+29,456,000	-88,008,000
<b>Office for Substance Abuse Prevention:</b>					
Prevention programs.....	129,579,000	154,205,000	131,670,000	+2,091,000	-22,535,000
Transfer from forfeiture fund (non-add).....	(10,000,000)			(-10,000,000)	
Community youth activity program.....	9,907,000			-9,907,000	
Community prevention grants.....	98,921,000	99,151,000	98,159,000	-762,000	-992,000
Transfer from forfeiture fund (non-add).....		(14,701,000)	(14,701,000)	(+14,701,000)	
Training.....	20,649,000	20,649,000	20,443,000	-206,000	-206,000
Direct operations.....	16,026,000	16,843,000	16,335,000	+309,000	-508,000
Subtotal, Substance Abuse Prevention.....	275,082,000	290,848,000	266,607,000	-8,475,000	-24,241,000
Treatment outcome evaluations.....	8,598,000	8,894,000	8,805,000	+207,000	-89,000
Buildings and facilities.....	5,000,000	3,980,000	3,940,000	-1,060,000	-40,000
Office of the Administrator.....	12,678,000	13,909,000	13,244,000	+366,000	-665,000
Rescission of delayed obligations.....	-821,000			+821,000	
<b>Total, Alcohol, Drug Abuse and Mental Health.....</b>	<b>3,071,909,000</b>	<b>3,241,159,000</b>	<b>3,099,902,000</b>	<b>+27,983,000</b>	<b>-141,257,000</b>
<b>ASSISTANT SECRETARY FOR HEALTH</b>					
<b>OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH</b>					
Population affairs: Adolescent family life.....	7,761,000	11,985,000	7,683,000	-78,000	-4,302,000
<b>Health Initiatives:</b>					
Office of Disease Prevention and Health Promotion.....	4,450,000	4,701,000	4,654,000	+204,000	-47,000
Physical fitness and sports.....	1,411,000	2,022,000	1,485,000	+74,000	-537,000
Minority health.....	13,805,000	13,831,000	13,693,000	-112,000	-138,000
National vaccine program.....	7,930,000	2,828,000	7,851,000	-79,000	+5,023,000
Emergency preparedness.....		1,000,000			+1,000,000
Health Service Management.....	21,433,000	22,038,000	21,818,000	+385,000	-220,000
National AIDS program office.....	2,452,000	3,958,000	3,918,000	+1,466,000	-40,000
Minority health (AIDS).....	2,075,000	2,090,000	2,069,000	-8,000	-21,000
<b>Total, OASH.....</b>	<b>61,317,000</b>	<b>64,453,000</b>	<b>63,171,000</b>	<b>+1,854,000</b>	<b>-1,282,000</b>
<b>RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS 1/</b>					
Retirement payments.....	104,303,000	109,462,000	109,462,000	+5,159,000	
Survivors benefits.....	6,650,000	6,835,000	6,835,000	+185,000	
Dependent's medical care.....	20,499,000	21,565,000	21,565,000	+1,066,000	
Military Services Credits.....	3,085,000	2,900,000	2,900,000	-195,000	
<b>Total, Retirement pay and medical benefits.....</b>	<b>134,547,000</b>	<b>140,762,000</b>	<b>140,762,000</b>	<b>+6,215,000</b>	
<b>AGENCY FOR HEALTH CARE POLICY RESEARCH</b>					
<b>Health services research:</b>					
Research.....	25,922,000	86,000	25,663,000	-259,000	+25,577,000
Trust funds.....	(1,012,000)	(1,050,000)	(1,002,000)	(-10,000)	(-48,000)
AIDS.....	10,135,000	9,675,000	9,776,000	-359,000	-99,000
Program support.....	2,246,000	2,615,000	2,481,000	+235,000	-134,000
1% evaluation funding (non-add).....	(13,444,000)	(39,544,000)	(13,310,000)	(-134,000)	(-26,234,000)
Subtotal including trust funds and 1% funds.....	(52,759,000)	(53,170,000)	(52,232,000)	(-527,000)	(-938,000)
<b>Medical treatment effectiveness:</b>					
Federal funds.....	62,372,000	23,507,000	61,748,000	-624,000	+38,241,000
Trust funds.....	(4,880,000)	(36,723,000)	(4,831,000)	(-49,000)	(-31,892,000)
1% evaluation funding (non-add).....		(11,695,000)			(-11,695,000)
Subtotal, Medical treatment effectiveness.....	(67,252,000)	(71,925,000)	(66,579,000)	(-673,000)	(-5,346,000)
<b>Total, Health Care Policy Research:</b>					
Federal Funds.....	100,675,000	36,083,000	99,668,000	-1,007,000	+63,585,000
Trust funds.....	(5,892,000)	(37,773,000)	(5,833,000)	(-59,000)	(-31,940,000)
Total, 1% evaluation funding (non-add).....	(13,444,000)	(51,239,000)	(13,310,000)	(-134,000)	(-37,929,000)
<b>Total, Health Care Policy Research (non-add).....</b>	<b>(120,011,000)</b>	<b>(125,095,000)</b>	<b>(118,811,000)</b>	<b>(-1,200,000)</b>	<b>(-6,284,000)</b>
<b>CAPITAL IMPROVEMENT FUND (FY94)</b>		100,000,000			-100,000,000
(1% Setaside fund for PHS capital improvements)			(165,125,000)		
<b>SALARIES AND EXPENSES RESCISSION</b>	-7,000,000			+7,000,000	
<b>PHS EVALUATION FUNDING RESCISSION</b>	-7,500,000			+7,500,000	
<b>Total, Public Health Service:</b>					
Federal Funds.....	16,400,628,000	17,207,433,000	16,857,866,000	+457,238,000	-349,567,000
Current year FY 1993.....	(16,400,628,000)	(17,107,433,000)	(16,857,866,000)	(+457,238,000)	(-249,567,000)
FY 1994.....		(100,000,000)			(-100,000,000)
Trust funds.....	(5,892,000)	(37,773,000)	(5,833,000)	(-59,000)	(-31,940,000)

1/ FY93 request includes \$116,297,000 in legislative savings proposed for later transmittal.

H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>HEALTH CARE FINANCING ADMINISTRATION</b>					
<b>GRANTS TO STATES FOR MEDICAID 1/</b>					
Medicaid current law benefits.....	69,854,249,000	81,478,400,000	81,478,400,000	+ 11,624,151,000	.....
State and local administration.....	2,648,489,000	3,021,706,000	2,932,834,000	+ 284,345,000	-88,872,000
Proposed legislation.....	.....	-98,872,000	.....	.....	+ 98,872,000
Subtotal, Medicaid program level, FY 1993.....	72,502,738,000	84,401,234,000	84,411,234,000	+ 11,908,496,000	+ 10,000,000
Less funds advanced in prior year.....	-13,500,000,000	-17,100,000,000	-17,100,000,000	-3,600,000,000	.....
Total, current request, FY 1993.....	59,002,738,000	67,301,234,000	67,311,234,000	+ 8,308,496,000	+ 10,000,000
New advance, 1st quarter, FY 1994.....	17,100,000,000	24,600,000,000	24,600,000,000	+ 7,500,000,000	.....
<b>PAYMENTS TO HEALTH CARE TRUST FUNDS 2/ 3/</b>					
Supplemental medical insurance.....	38,884,000,000	43,490,000,000	43,490,000,000	+ 4,606,000,000	.....
Hospital insurance for the uninsured.....	584,000,000	328,000,000	328,000,000	-256,000,000	.....
Federal uninsured payment.....	37,000,000	39,000,000	39,000,000	+ 2,000,000	.....
Program management.....	116,485,000	125,713,000	106,192,000	-10,293,000	-19,521,000
Proposed legislation.....	.....	-19,521,000	.....	.....	+ 19,521,000
Total, Payment to Trust Funds.....	39,421,485,000	43,963,192,000	43,963,192,000	+ 4,541,707,000	.....
<b>PROGRAM MANAGEMENT</b>					
<b>Research, demonstration, and evaluation:</b>					
Regular program, trust funds.....	(45,621,000)	(36,000,000)	(35,640,000)	(-9,981,000)	(-360,000)
Rural hospital transition demonstrations, trust funds.....	(23,000,000)	.....	(14,850,000)	(-8,150,000)	(+ 14,850,000)
Essential access community hospitals, trust funds.....	(9,759,000)	.....	.....	(-9,759,000)	.....
Subtotal, research, demonstration, and evaluation.....	(78,380,000)	(36,000,000)	(50,490,000)	(-27,890,000)	(+ 14,490,000)
<b>Medicare Contractors (Trust Funds):</b>					
Operating funds, current.....	(1,525,800,000)	(1,644,200,000)	(1,627,758,000)	(+ 101,956,000)	(-16,442,000)
Contingency reserve fund 4/.....	(184,200,000)	.....	.....	(-184,200,000)	.....
Subtotal, Contractors.....	(1,710,000,000)	(1,644,200,000)	(1,627,758,000)	(-82,242,000)	(-16,442,000)
<b>State Survey and Certification:</b>					
Medicare certification, trust funds.....	(150,000,000)	(155,000,000)	.....	(-150,000,000)	(-155,000,000)
Proposed legislation, fees, trust funds.....	.....	(-155,000,000)	.....	.....	(+ 155,000,000)
Subtotal, State certification.....	(150,000,000)	.....	.....	(-150,000,000)	.....
<b>Federal Administration:</b>					
Trust funds.....	(328,420,000)	(347,445,000)	(307,372,000)	(-21,048,000)	(-40,073,000)
Headquarters relocation.....	.....	(15,837,000)	.....	.....	(-15,837,000)
Less current law user fees.....	(-77,000)	(-124,000)	(-123,000)	(-46,000)	(+ 1,000)
Proposed legislation.....	.....	(-36,969,000)	.....	.....	(+ 36,969,000)
Subtotal, Federal Administration.....	(328,343,000)	(326,189,000)	(307,249,000)	(-21,094,000)	(-18,940,000)
Total, Program management.....	(2,266,723,000)	(2,006,389,000)	(1,985,497,000)	(-281,226,000)	(-20,892,000)
SURVEY AND CERTIFICATION FUND (non-add).....	.....	(449,441,000)	.....	.....	(-449,441,000)
HMO LOAN AND LOAN GUARANTEE FUND.....	.....	13,800,000	13,800,000	+ 13,800,000	.....
Total, Health Care Financing Administration:					
Federal funds.....	115,524,223,000	135,678,226,000	135,888,226,000	+ 20,364,003,000	+ 10,000,000
Current year, FY 1993.....	(98,424,223,000)	(111,278,226,000)	(111,288,226,000)	(+ 12,864,003,000)	(+ 10,000,000)
New advance, 1st quarter, FY 1994.....	(17,100,000,000)	(24,800,000,000)	(24,800,000,000)	(+ 7,500,000,000)	.....
Trust funds.....	(2,266,723,000)	(2,006,389,000)	(1,985,497,000)	(-281,226,000)	(-20,892,000)
<b>SOCIAL SECURITY ADMINISTRATION</b>					
<b>PAYMENTS TO SOCIAL SECURITY TRUST FUNDS.....</b>					
	40,968,000	35,242,000	35,242,000	-5,726,000	.....
<b>SPECIAL BENEFITS FOR DISABLED COAL MINERS</b>					
Benefit payments.....	822,302,000	794,362,000	794,362,000	-27,940,000	.....
Administration.....	7,336,000	4,951,000	4,951,000	-2,385,000	.....
Subtotal, Black Lung, FY 1993 program level.....	829,638,000	799,313,000	799,313,000	-30,325,000	.....
Less funds advanced in prior year.....	-203,000,000	-198,000,000	-198,000,000	+ 5,000,000	.....
Total, Black Lung, current request, FY 1993.....	626,638,000	601,313,000	601,313,000	-25,325,000	.....
New advance, 1st quarter, FY 1994.....	198,000,000	196,000,000	196,000,000	-2,000,000	.....

1/ FY93 request includes \$5,000,000 in legislative savings proposed for later transmittal.

2/ FY93 request includes \$612,300,000 in legislative savings proposed for later transmittal.

3/ FY92 and FY93 totals reflected incorrectly in FY93 Budget Appendix.

4/ Conference agreement originally provided \$257 million, of which \$68.8 million has been released by the Administration. Reflects rescission enacted 6/92.

H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>SUPPLEMENTAL SECURITY INCOME 1/</b>					
Federal benefit payments.....	17,502,025,000	19,701,000,000	19,701,000,000	+2,198,975,000	.....
Beneficiary services.....	39,100,000	47,600,000	47,600,000	+8,500,000	.....
Research demonstration.....	14,000,000	6,700,000	12,700,000	-1,300,000	+6,000,000
Administration.....	1,321,391,000	1,548,357,000	1,473,473,000	+152,082,000	-74,884,000
Proposed legislation.....	.....	-60,000,000	.....	.....	+60,000,000
Subtotal, SSI FY 1993 program level.....	18,876,516,000	21,243,657,000	21,234,773,000	+2,358,257,000	-8,884,000
Less funds advanced in prior year.....	-3,550,000,000	-5,240,000,000	-5,240,000,000	-1,690,000,000	.....
Total, SSI, current request, FY 1993.....	15,326,516,000	16,003,657,000	15,994,773,000	+668,257,000	-8,884,000
New advance, 1st quarter, FY 1994.....	5,240,000,000	7,150,000,000	7,150,000,000	+1,910,000,000	.....
<b>LIMITATION ON ADMINISTRATIVE EXPENSES (Trust Funds) 2/.....</b>					
Portion treated as budget authority.....	(3,914,239,000)	(4,129,985,000)	(4,029,285,000)	(+115,046,000)	(-100,700,000)
Subtotal, LAE operating level.....	(4,550,456,000)	(4,759,142,000)	(4,652,150,000)	(+101,694,000)	(-106,992,000)
(Contingency reserve) 3/.....	.....	(40,205,000)	.....	.....	(-40,205,000)
Contingency reserve - budget authority 3/.....	.....	(9,795,000)	.....	.....	(-9,795,000)
Proposed legislation.....	.....	(-60,000,000)	.....	.....	(+60,000,000)
Subtotal, LAE.....	(4,550,456,000)	(4,749,142,000)	(4,652,150,000)	(+101,694,000)	(-96,992,000)
<b>Total, Social Security Administration:</b>					
Federal funds.....	21,432,122,000	23,986,212,000	23,977,328,000	+2,545,206,000	-8,884,000
Current year FY 1993.....	(15,994,122,000)	(16,640,212,000)	(16,631,328,000)	(+637,206,000)	(-8,884,000)
New advances, 1st quarter FY 1994.....	(5,438,000,000)	(7,346,000,000)	(7,346,000,000)	(+1,908,000,000)	.....
Trust funds.....	(4,550,456,000)	(4,749,142,000)	(4,652,150,000)	(+101,694,000)	(-96,992,000)
<b>ADMINISTRATION FOR CHILDREN AND FAMILIES</b>					
<b>FAMILY SUPPORT PAYMENTS TO STATES 4/</b>					
Aid to Families with Dependent Children (AFDC).....	12,242,122,000	12,283,878,000	12,283,878,000	+41,756,000	.....
Quality control liabilities.....	.....	-6,500,000	-6,500,000	-6,500,000	.....
Payments to territories.....	19,572,000	19,572,000	19,572,000	.....	.....
Emergency assistance.....	140,600,000	190,000,000	190,000,000	+49,400,000	.....
Repatriation.....	1,000,000	1,000,000	1,000,000	.....	.....
State and local welfare administration.....	1,369,000,000	1,483,000,000	1,483,000,000	+114,000,000	.....
Work activities / child care.....	340,000,000	381,000,000	381,000,000	+41,000,000	.....
At risk child care.....	383,752,000	300,000,000	300,000,000	-83,752,000	.....
Subtotal, Welfare payments.....	14,496,046,000	14,651,950,000	14,651,950,000	+155,904,000	.....
Child Support Enforcement:					
State and local administration.....	1,386,000,000	1,546,000,000	1,546,000,000	+160,000,000	.....
Federal incentive payments.....	329,000,000	367,000,000	367,000,000	+38,000,000	.....
Less federal share collections.....	-1,010,000,000	-1,123,000,000	-1,123,000,000	-113,000,000	.....
Subtotal, Child support.....	705,000,000	790,000,000	790,000,000	+85,000,000	.....
Total, Payments, FY 1993 program level.....	15,201,046,000	15,441,950,000	15,441,950,000	+240,904,000	.....
Less funds advanced in previous years.....	-3,300,000,000	-4,000,000,000	-4,000,000,000	-700,000,000	.....
Total, Payments, current request, FY 1993.....	11,901,046,000	11,441,950,000	11,441,950,000	-459,096,000	.....
New advance, 1st quarter, FY 1994.....	4,000,000,000	4,000,000,000	4,000,000,000	.....	.....
<b>PAYMENTS TO STATES FOR AFDC WORK PROGRAMS.....</b>					
	1,000,000,000	1,000,000,000	1,000,000,000	.....	.....
<b>LOW INCOME HOME ENERGY ASSISTANCE</b>					
Regular program.....	1,014,393,000	266,250,000	891,000,000	-123,393,000	+624,750,000
Congressional emergency.....	80,000,000	.....	.....	-80,000,000	.....
Additional appropriation 9/30.....	405,607,000	798,750,000	.....	-405,607,000	-798,750,000
Emergency allocation 5/.....	(300,000,000)	.....	(600,000,000)	(+300,000,000)	(+600,000,000)
Total, Energy assistance programs.....	1,500,000,000	1,065,000,000	891,000,000	-609,000,000	-174,000,000
Total including emergency.....	(1,800,000,000)	(1,065,000,000)	(1,491,000,000)	(-309,000,000)	(+426,000,000)

1/ FY93 request includes \$34,000,000 in legislative savings proposed for later transmittal.  
 2/ Includes delayed obligation of \$80,000,000 until 9/19 for both FY92 and FY93 request. No delays included in recommendation.  
 3/ Conference agreement originally provided \$100 million, which has been released by the Administration.  
 4/ FY93 request includes \$169,100,000 in legislative savings proposed for later transmittal.  
 5/ Available only upon submission of a formal budget request designating the need for funds as an emergency as defined by the BEA.

H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>REFUGEE AND ENTRANT ASSISTANCE 1/</b>					
Cash and medical assistance.....	204,216,000			-204,216,000	
Unaccompanied minors.....	30,000,000	30,000,000	24,750,000	-5,250,000	-5,250,000
Social services.....	82,952,000	63,000,000	84,150,000	+1,198,000	+21,150,000
Voluntary agency program.....	39,036,000	74,000,000	118,800,000	+79,764,000	+44,800,000
Preventive health.....	5,631,000			-5,631,000	
Special medical assistance.....		20,000,000	49,500,000	+49,500,000	+29,500,000
Targeted assistance.....	48,795,000	40,000,000	44,550,000	-4,245,000	+4,550,000
<b>Total, Refugee Resettlement.....</b>	<b>410,630,000</b>	<b>227,000,000</b>	<b>321,750,000</b>	<b>-88,880,000</b>	<b>+94,750,000</b>
<b>STATE LEGALIZATION IMPACT ASSISTANCE GRANTS 2/</b>					
Current year.....		-823,345,000	-562,000,000	-562,000,000	+261,345,000
Advance funding.....		823,345,000	562,000,000	+562,000,000	-261,345,000
<b>COMMUNITY SERVICES BLOCK GRANT</b>					
Grants to States for Community Services.....	360,000,000		351,450,000	-8,550,000	+351,450,000
Homeless services grants.....	25,000,000		12,375,000	-12,625,000	+12,375,000
<b>Discretionary funds:</b>					
Community economic development 3/.....	22,000,000		15,840,000	-6,160,000	+15,840,000
Rural housing 3/.....	4,099,000		2,029,000	-2,070,000	+2,029,000
Farmworker assistance 3/.....	3,025,000		1,485,000	-1,540,000	+1,485,000
National youth sports.....	12,000,000	5,000,000	5,940,000	-6,060,000	+940,000
Technical assistance.....	244,000		121,000	-123,000	+121,000
<b>Subtotal, discretionary funds.....</b>	<b>41,368,000</b>	<b>5,000,000</b>	<b>25,415,000</b>	<b>-15,953,000</b>	<b>+20,415,000</b>
Community Partnerships.....	4,050,000		2,005,000	-2,045,000	+2,005,000
Community Food and Nutrition.....	7,000,000		3,465,000	-3,535,000	+3,465,000
<b>Total, Community services.....</b>	<b>437,418,000</b>	<b>5,000,000</b>	<b>394,710,000</b>	<b>-42,708,000</b>	<b>+389,710,000</b>
<b>GRANTS TO STATES FOR CHILD CARE</b>					
Block grants to States 4/.....	825,000,000	850,000,000	841,500,000	+16,500,000	-8,500,000
<b>SOCIAL SERVICES BLOCK GRANT (TITLE XX)</b>					
	2,800,000,000	2,800,000,000	2,800,000,000		
<b>CHILDREN AND FAMILIES SERVICES PROGRAMS</b>					
<b>Programs for Children, Youth, and Families:</b>					
<b>Head start:</b>					
Regular grants 5/.....	1,951,800,000	2,801,800,000	2,720,322,000	+788,522,000	-81,478,000
Transfer from "Educational Excellence".....	250,000,000			-250,000,000	
<b>Subtotal.....</b>	<b>2,201,800,000</b>	<b>2,801,800,000</b>	<b>2,720,322,000</b>	<b>+518,522,000</b>	<b>-81,478,000</b>
Comprehensive child development centers 6/.....	24,398,000	44,398,000	47,419,000	+23,021,000	+3,021,000
Transfer from "Educational Excellence".....	20,000,000			-20,000,000	
<b>Subtotal, Comprehensive Child Development.....</b>	<b>44,398,000</b>	<b>44,398,000</b>	<b>47,419,000</b>	<b>+3,021,000</b>	<b>+3,021,000</b>
Child development associate scholarships.....	1,397,000	1,397,000	1,383,000	-14,000	-14,000
Runaway and homeless youth.....	35,751,000		35,393,000	-358,000	+35,393,000
Runaway youth - transitional living.....	12,000,000		11,880,000	-120,000	+11,880,000
Runaway youth activities - drugs.....	15,286,000		15,133,000	-153,000	+15,133,000
Consolidated runaway program.....		63,037,000			-63,037,000
Youth gang substance abuse.....	10,943,000	10,943,000	10,834,000	-109,000	-109,000
Child abuse state grants.....	20,518,000	20,518,000	20,313,000	-205,000	-205,000
Child abuse discretionary activities.....	14,639,000	16,639,000	16,473,000	+1,834,000	-166,000
Child abuse challenge grants.....	5,367,000	5,367,000	5,313,000	-54,000	-54,000
Temporary childcare/crisis nurseries.....	11,055,000	12,160,000	12,038,000	+983,000	-122,000
Abandoned infants assistance.....	12,557,000	13,810,000	13,672,000	+1,115,000	-138,000
Dependent care planning and development.....	13,175,000		13,043,000	-132,000	+13,043,000
Emergency protection grants - substance abuse.....	19,518,000	19,518,000	19,323,000	-195,000	-195,000
Child welfare services.....	273,911,000	273,911,000	297,000,000	+23,089,000	+23,089,000
Child welfare training.....	3,559,000	5,559,000	5,503,000	+1,944,000	-56,000
Child welfare research.....	8,652,000	8,652,000	8,565,000	+1,913,000	-87,000
Adoption opportunities.....	12,687,000	12,687,000	12,560,000	-127,000	-127,000
<b>Subtotal, Programs for Children, Youth, and Families.....</b>	<b>2,715,213,000</b>	<b>3,310,396,000</b>	<b>3,266,167,000</b>	<b>+550,954,000</b>	<b>-44,229,000</b>
Family violence.....	20,000,000	20,000,000	19,800,000	-200,000	-200,000
Social services research.....	16,379,000	14,879,000	9,780,000	-6,599,000	-5,099,000
Family support centers.....	5,500,000		6,930,000	+1,430,000	+6,930,000
Family resource centers.....			4,950,000	+4,950,000	+4,950,000

1/ \$116,616,000 of total available only on 9/30 in both FY92 and FY93 request. Recommendation does not include delayed obligations.  
 2/ FY92 bill delayed availability of \$1,123,245,000 from FY92 to FY93.  
 3/ Includes delayed obligation until 9/30/92. No delays included in recommendation.  
 4/ Request and recommendation available on 9/30.  
 5/ \$250,000,000 of total available 7/1 in FY93 request; recommendation assumes no delayed obligations.  
 6/ \$20,000,000 of total available 7/1 in FY93 request; recommendation assumes no delayed obligations.

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor,  
Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>Developmental disabilities program:</b>					
State grants.....	67,706,000	67,706,000	67,029,000	-677,000	-677,000
Protection and advocacy.....	22,500,000	22,500,000	22,275,000	-225,000	-225,000
Developmental disabilities special projects.....	3,248,000	3,248,000	3,216,000	-32,000	-32,000
Developmental disabilities university affiliated programs.....	16,030,000	16,030,000	15,870,000	-160,000	-160,000
Subtotal, Developmental disabilities.....	109,484,000	109,484,000	108,390,000	-1,094,000	-1,094,000
Native American Programs.....	34,126,000	34,126,000	33,785,000	-341,000	-341,000
Program direction.....	150,931,000	155,735,000	152,480,000	+1,529,000	-3,275,000
Total, Children and Families Services Programs.....	3,051,633,000	3,644,620,000	3,602,262,000	+550,629,000	-42,358,000
<b>PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE</b>					
Foster care.....	2,223,668,000	2,677,343,000	2,677,343,000	+453,675,000	
Adoption assistance.....	201,861,000	241,325,000	241,325,000	+39,464,000	
Independent living.....	70,000,000	70,000,000	70,000,000		
Prior year claims.....	118,476,000			-118,476,000	
Total, Payments to States.....	2,614,005,000	2,988,668,000	2,988,668,000	+374,663,000	
Total, Administration for Children and Families.....	28,539,732,000	28,022,238,000	28,281,840,000	-257,892,000	+259,602,000
Current year.....	(24,539,732,000)	(23,198,893,000)	(23,719,840,000)	(-819,892,000)	(+520,947,000)
FY 1994.....	(4,000,000,000)	(4,823,345,000)	(4,562,000,000)	(+562,000,000)	(-261,345,000)
<b>ADMINISTRATION ON AGING 1/ AGING SERVICES PROGRAMS</b>					
<b>Grants to States:</b>					
Supportive services and centers.....	316,238,000	317,000,000	313,830,000	-2,408,000	-3,170,000
Ombudsman services.....	3,930,000	3,940,000	3,901,000	-29,000	-39,000
Prevention of elder abuse.....	4,416,000	4,427,000	4,383,000	-33,000	-44,000
<b>Nutrition:</b>					
Congregate meals.....	366,067,000	367,000,000	363,330,000	-2,737,000	-3,670,000
Home-delivered meals.....	89,603,000	89,831,000	88,933,000	-670,000	-898,000
Frail elderly in-home services.....	6,898,000	6,916,000	6,847,000	-51,000	-69,000
Grants to Indians.....	15,088,000	15,124,000	14,973,000	-113,000	-151,000
Aging research, training and special projects.....	25,941,000	25,941,000	25,662,000	-259,000	-259,000
Federal Council on Aging.....	181,000	181,000	179,000	-2,000	-2,000
White House Conference on Aging.....	2,000,000	4,000,000		-2,000,000	-4,000,000
Program administration.....	16,237,000	16,333,000	16,170,000	-67,000	-163,000
Rescission of delayed obligations.....	-125,000			+125,000	
Total, Administration on Aging.....	846,472,000	850,693,000	838,228,000	-8,244,000	-12,465,000
<b>OFFICE OF THE SECRETARY 2/</b>					
<b>GENERAL DEPARTMENTAL MANAGEMENT:</b>					
Federal funds.....	66,718,000	67,226,000	66,554,000	-164,000	-672,000
Office of General Counsel.....	23,854,000	26,133,000	24,605,000	+751,000	-1,528,000
Trust funds.....	(3,832,000)	(3,896,000)	(3,659,000)	(-173,000)	(-37,000)
Office of General Counsel.....	(18,954,000)	(18,987,000)	(18,764,000)	(-190,000)	(-223,000)
Portion treated as budget authority.....	(1,074,000)	(1,333,000)	(1,063,000)	(-11,000)	(-270,000)
Office of General Counsel.....	(6,834,000)	(6,845,000)	(6,766,000)	(-68,000)	(-79,000)
Total, General Departmental Management:					
Federal funds.....	90,572,000	93,359,000	91,159,000	+587,000	-2,200,000
Trust funds.....	(30,694,000)	(30,861,000)	(30,252,000)	(-442,000)	(-609,000)
Total.....	(121,266,000)	(124,220,000)	(121,411,000)	(+145,000)	(-2,809,000)
<b>OFFICE OF THE INSPECTOR GENERAL:</b>					
Federal funds.....	57,526,000	57,496,000	61,901,000	+4,375,000	+4,405,000
Trust funds.....	(16,363,000)	(21,874,000)	(16,199,000)	(-164,000)	(-5,675,000)
Portion treated as budget authority.....	(21,038,000)	(29,114,000)	(20,828,000)	(-210,000)	(-8,286,000)
Total, Office of the Inspector General:					
Federal funds.....	57,526,000	57,496,000	61,901,000	+4,375,000	+4,405,000
Trust funds.....	(37,401,000)	(50,988,000)	(37,027,000)	(-374,000)	(-13,961,000)
Total.....	(94,927,000)	(108,484,000)	(98,928,000)	(+4,001,000)	(-9,556,000)
<b>OFFICE FOR CIVIL RIGHTS:</b>					
Federal funds.....	18,323,000	19,389,000	18,635,000	+312,000	-754,000
Trust funds.....	(99,000)	(99,000)	(96,000)	(-1,000)	(-1,000)
Portion treated as budget authority.....	(3,858,000)	(3,901,000)	(3,819,000)	(-39,000)	(-82,000)
Total, Office for Civil Rights:					
Federal funds.....	18,323,000	19,389,000	18,635,000	+312,000	-754,000
Trust funds.....	(3,957,000)	(4,000,000)	(3,917,000)	(-40,000)	(-83,000)
Total.....	(22,280,000)	(23,389,000)	(22,552,000)	(+272,000)	(-837,000)

1/ Includes delayed obligation of \$25,000,000 until 9/30 in FY92 and FY93 request; recommendation assumes no delayed obligations.

2/ FY93 request includes \$5,000,000 in legislative additions proposed for later transmittal.

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>POLICY RESEARCH.....</b>	<b>5,012,000</b>	<b>5,224,000</b>	<b>8,415,000</b>	<b>+ 3,403,000</b>	<b>+ 3,191,000</b>
Total, Office of the Secretary:					
Federal funds.....	171,433,000	175,468,000	180,110,000	+ 8,677,000	+ 4,642,000
Trust funds.....	(72,052,000)	(85,849,000)	(71,196,000)	(-856,000)	(-14,653,000)
Total.....	(243,485,000)	(261,317,000)	(251,306,000)	(+ 7,821,000)	(-10,011,000)
Total, Department of Health and Human Services:					
Federal Funds.....	182,914,610,000	206,120,270,000	206,023,598,000	+23,108,988,000	-96,672,000
Current year FY 1993.....	(158,376,610,000)	(169,250,925,000)	(169,515,598,000)	(+ 13,138,988,000)	(+ 264,673,000)
FY 1994.....	(26,538,000,000)	(36,869,345,000)	(36,508,000,000)	(+ 9,970,000,000)	(-361,345,000)
Trust funds.....	(6,895,123,000)	(6,879,153,000)	(6,714,676,000)	(-180,447,000)	(-164,477,000)
<b>TITLE III - DEPARTMENT OF EDUCATION</b>					
<b>COMPENSATORY EDUCATION FOR THE DISADVANTAGED</b>					
Grants for the Disadvantaged (Chapter 1):					
Grants to local educational agencies:					
Basic grants.....	5,387,000,000	5,387,000,000	5,469,750,000	+ 82,750,000	+ 82,750,000
Additional appropriation 9/30 1/.....	137,310,000	138,000,000	.....	-137,310,000	-138,000,000
Concentration grants.....	596,000,000	696,000,000	702,900,000	+ 106,900,000	+ 6,900,000
Additional appropriation 9/30 1/.....	13,930,000	14,000,000	.....	-13,930,000	-14,000,000
Subtotal, grants to LEA's.....	6,134,240,000	6,235,000,000	6,172,650,000	+ 38,410,000	-62,350,000
Capital expenses for private school children.....	40,054,000	40,054,000	39,853,000	-401,000	-401,000
Even start.....	70,000,000	90,000,000	89,100,000	+ 19,100,000	-900,000
State agency programs:					
Migrant.....	308,298,000	308,298,000	305,215,000	-3,083,000	-3,083,000
Neglected and delinquent.....	36,054,000	36,054,000	35,693,000	-361,000	-361,000
State administration.....	61,820,000	61,820,000	61,202,000	-618,000	-618,000
State program improvement grants.....	25,125,000	31,406,000	26,142,000	+ 1,017,000	-5,264,000
Evaluation and technical assistance 2/.....	15,088,000	15,000,000	14,850,000	-238,000	-150,000
Rural technical assistance centers 2/.....	5,000,000	.....	4,950,000	-50,000	+ 4,950,000
Total, Chapter 1.....	6,695,679,000	6,817,632,000	6,749,455,000	+ 53,776,000	-68,177,000
Migrant education:					
High school equivalency program 2/.....	8,310,000	8,310,000	8,227,000	-83,000	-83,000
College assistance migrant program 2/.....	2,265,000	2,265,000	2,242,000	-23,000	-23,000
Subtotal, migrant education.....	10,575,000	10,575,000	10,469,000	-106,000	-106,000
Total, Compensatory Education programs.....	6,706,254,000	6,828,207,000	6,759,924,000	+ 53,670,000	-68,283,000
Subtotal, forward funded.....	(6,675,591,000)	(6,802,632,000)	(6,729,655,000)	(+ 54,064,000)	(-72,977,000)
<b>IMPACT AID</b>					
Maintenance and operations:					
Payments for "a" children:					
Regular payments.....	570,540,000	489,540,000	566,767,000	-3,773,000	+ 77,227,000
3(d)(2)(B) districts.....	18,000,000	16,000,000	17,820,000	-180,000	+ 1,820,000
Subtotal.....	588,540,000	505,540,000	584,587,000	-3,953,000	+ 79,047,000
Payments for "b" children:					
Regular payments.....	124,626,000	.....	123,380,000	-1,246,000	+ 123,380,000
3(d)(2)(B) districts.....	12,000,000	.....	11,880,000	-120,000	+ 11,880,000
Subtotal.....	136,626,000	.....	135,260,000	-1,366,000	+ 135,260,000
Payments for Federal property (Section 2).....	16,590,000	16,590,000	16,424,000	-166,000	-166,000
Payments related to decreased activity (Section 3e).....	1,952,000	.....	.....	-1,952,000	.....
Subtotal.....	743,708,000	522,130,000	736,271,000	-7,437,000	+ 214,141,000
Construction.....	26,000,000	8,000,000	27,710,000	+ 1,710,000	+ 19,710,000
Additional appropriation 9/30 1/.....	1,990,000	2,000,000	.....	-1,990,000	-2,000,000
Total, impact aid.....	771,698,000	532,130,000	763,981,000	-7,717,000	+ 231,851,000
<b>SCHOOL IMPROVEMENT PROGRAMS</b>					
Educational Improvement (Chapter 2):					
State and Local Programs:					
State block grants 3/.....	450,000,000	450,000,000	445,500,000	-4,500,000	-4,500,000
National programs:					
Inexpensive book distribution (RIF).....	10,000,000	10,320,000	9,900,000	-100,000	-420,000
Arts in education.....	8,600,000	4,900,000	4,851,000	-3,749,000	-49,000
Law - related education.....	6,000,000	.....	5,940,000	-60,000	+ 5,940,000
Subtotal, National programs.....	24,600,000	15,220,000	20,691,000	-3,909,000	+ 5,471,000
Total, Chapter 2.....	474,600,000	465,220,000	466,191,000	-8,409,000	+ 971,000

1/ Reflects rescission enacted 6/92.

2/ Current funded.

3/ Forward funded.

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor,  
Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>Drug-free schools and communities:</b>					
State grants 1/.....	507,663,000	507,663,000	502,586,000	-5,077,000	-5,077,000
School personnel training.....	23,863,000	13,863,000	13,724,000	-10,139,000	-139,000
National programs.....	62,133,000	72,133,000	71,412,000	+9,279,000	-721,000
Emergency grants.....	30,304,000	25,000,000	24,750,000	-5,554,000	-250,000
Emergency grants, unauthorized.....		35,304,000			-35,304,000
Subtotal, drug-free schools.....	623,963,000	653,963,000	612,472,000	-11,491,000	-41,491,000
<b>Weed and Seed</b> .....					
		56,000,000			-56,000,000
<b>Strengthening teaching and administration:</b>					
Eisenhower mathematics and science education State grants 1/.....	240,000,000	248,000,000	245,520,000	+5,520,000	-2,480,000
Christa McAuliffe fellowships.....	2,000,000	2,064,000	1,980,000	-20,000	-84,000
<b>Other school improvement programs:</b>					
Magnet schools, desegregation program.....	110,000,000	110,000,000	108,900,000	-1,100,000	-1,100,000
Education for homeless children and youth 1/.....	25,000,000	25,000,000	29,700,000	+4,700,000	+4,700,000
Women's educational equity.....	500,000		1,980,000	+1,480,000	+1,980,000
Training and advisory services (Civil Rights IV-A).....	22,000,000	22,000,000	21,780,000	-220,000	-220,000
Dropout prevention demonstrations.....	40,000,000	38,200,000	37,818,000	-2,182,000	-382,000
General assistance to the Virgin Islands.....	4,500,000		2,475,000	-2,025,000	+2,475,000
Ellender fellowships/Close up 1/.....	4,300,000		4,257,000	-43,000	+4,257,000
Follow through.....	8,632,000		8,546,000	-86,000	+8,546,000
Native Hawaiian Education.....	6,400,000		6,336,000	-64,000	+6,336,000
Foreign Languages Assistance 1/.....	10,000,000		9,900,000	-100,000	+9,900,000
Subtotal, other school improvement programs.....	231,332,000	195,200,000	231,692,000	+360,000	+36,492,000
Total, School improvement programs.....	1,571,895,000	1,620,447,000	1,557,855,000	-14,040,000	-62,592,000
Subtotal, forward funded.....	(1,236,963,000)	(1,230,663,000)	(1,237,463,000)	(+500,000)	(+6,800,000)
<b>EDUCATIONAL EXCELLENCE/AMERICA 2000 2/</b>					
America 2000 legislation 3/.....	99,115,000	267,500,000		-99,115,000	-267,500,000
School Choice Grants, new legislation.....		500,000,000			-500,000,000
Total, Educational excellence.....	99,115,000	767,500,000		-99,115,000	-767,500,000
<b>BILINGUAL AND IMMIGRANT EDUCATION</b>					
<b>Bilingual education:</b>					
Bilingual programs.....	147,407,000	156,085,000	154,524,000	+7,117,000	-1,561,000
Support services.....	12,000,000	11,200,000	11,088,000	-912,000	-112,000
Training grants.....	36,000,000	36,360,000	35,996,000	-4,000	-364,000
Immigrant education.....	30,000,000	30,000,000	29,700,000	-300,000	-300,000
Total.....	225,407,000	233,645,000	231,308,000	+5,901,000	-2,337,000
<b>SPECIAL EDUCATION</b>					
<b>State grants:</b>					
EHA grants to States part "b".....	1,976,095,000	2,073,300,000	2,052,567,000	+76,472,000	-20,733,000
Chapter 1 handicapped grants.....	143,000,000	128,700,000	127,413,000	-15,587,000	-1,287,000
Preschool grants.....	320,000,000	320,000,000	316,800,000	-3,200,000	-3,200,000
Grants for infants and families.....	175,000,000	180,600,000	178,794,000	+3,794,000	-1,806,000
Subtotal, State grants.....	2,614,095,000	2,702,600,000	2,675,574,000	+61,479,000	-27,026,000
<b>Special purpose funds:</b>					
Deaf-blindness.....	13,000,000	13,000,000	12,870,000	-130,000	-130,000
Severe disabilities.....	8,000,000	8,000,000	9,405,000	+1,405,000	+1,405,000
Serious emotional disturbance.....	4,000,000	4,000,000	3,960,000	-40,000	-40,000
Secondary and transitional services.....	19,000,000	19,000,000	21,285,000	+2,285,000	+2,285,000
Early childhood education.....	25,000,000	25,000,000	25,740,000	+740,000	+740,000
Postsecondary education.....	9,000,000	9,000,000	8,910,000	-90,000	-90,000
Innovation and development.....	21,000,000	21,000,000	20,790,000	-210,000	-210,000
Media and captioning services.....	17,000,000	17,000,000	17,572,000	+572,000	+572,000
Technology applications.....	10,000,000	10,000,000	9,900,000	-100,000	-100,000
Special studies.....	4,000,000	4,000,000	3,960,000	-40,000	-40,000
Personnel development.....	89,800,000	89,800,000	88,902,000	-898,000	-898,000
Parent training.....	12,000,000	12,000,000	11,880,000	-120,000	-120,000
Clearinghouses.....	2,000,000	2,000,000	2,079,000	+79,000	+79,000
Regional resource centers.....	7,000,000	7,000,000	7,276,000	+276,000	+276,000
Subtotal, Special purpose funds.....	240,800,000	240,800,000	244,529,000	+3,729,000	+3,729,000
Total, Special education.....	2,854,895,000	2,943,400,000	2,920,103,000	+65,208,000	-23,297,000
<b>REHABILITATION SERVICES AND DISABILITY RESEARCH</b>					
<b>Vocational rehabilitation State grants:</b>					
Grants to States.....	1,788,000,000	1,839,852,000	1,839,852,000	+51,852,000	
Supported employment State grants.....	31,065,000	32,059,000	31,065,000		-994,000
Client assistance.....	9,141,000	9,434,000	9,141,000		-293,000
Subtotal, State grants.....	1,828,206,000	1,881,345,000	1,880,058,000	+51,852,000	-1,267,000

1/ Forward funded.

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

3/ FY92 appropriation reflects reprogramming of 2/92.

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>Special purpose funds:</b>					
Special demonstration programs.....	31,103,000	20,103,000	20,103,000	-11,000,000	
Supported employment projects.....	10,423,000	10,980,000	10,423,000		-557,000
Recreational programs.....	2,617,000	2,617,000	2,617,000		
Migratory workers.....	1,060,000	1,300,000	1,060,000		-240,000
Projects with industry.....	20,390,000	23,100,000	20,390,000		-2,710,000
Helen Keller National Center.....	5,867,000	6,057,000	5,867,000		-190,000
<b>Independent living:</b>					
Comprehensive services.....	14,200,000	14,654,000	14,200,000		-454,000
Centers.....	29,000,000	29,000,000	29,000,000		
Services for older blind.....	6,505,000	6,505,000	6,505,000		
Protection and advocacy for severely disabled.....	1,074,000	1,074,000	1,074,000		
Subtotal, Independent living.....	50,779,000	51,233,000	50,779,000		-454,000
Training.....	36,688,000	36,688,000	36,688,000		
National Institute on Disability and Rehabilitation Research.....	61,000,000	68,440,000	61,000,000		-7,440,000
Technology assistance.....	28,000,000	34,400,000	34,400,000	+6,400,000	
Evaluation.....	1,025,000	2,000,000	2,000,000	+975,000	
Subtotal, Special purpose funds.....	248,952,000	256,918,000	245,327,000	-3,625,000	-11,591,000
Total, Rehabilitation services.....	2,077,158,000	2,138,263,000	2,125,385,000	+48,227,000	-12,878,000
<b>SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES</b>					
AMERICAN PRINTING HOUSE FOR THE BLIND.....	5,900,000	6,349,000	6,286,000	+386,000	-63,000
<b>NATIONAL TECHNICAL INSTITUTE FOR THE DEAF:</b>					
Operations.....	39,097,000	40,348,000	38,706,000	-391,000	-1,642,000
Endowment grant.....	342,000	342,000	339,000	-3,000	-3,000
Construction.....		314,000			-314,000
Subtotal, NTID.....	39,439,000	41,004,000	39,045,000	-394,000	-1,959,000
<b>GALLAUDET UNIVERSITY:</b>					
University programs.....	50,480,000	51,468,000	49,975,000	-505,000	-1,493,000
Kendall Elementary/Model Secondary Schools.....	22,580,000	23,282,000	22,334,000	-226,000	-948,000
Endowment grant.....	1,000,000	1,000,000	990,000	-10,000	-10,000
Construction.....	2,500,000	2,500,000	2,475,000	-25,000	-25,000
Subtotal, Gallaudet University.....	76,540,000	78,250,000	75,774,000	-766,000	-2,476,000
Total, Special Institutions for Disabled.....	121,879,000	125,603,000	121,105,000	-774,000	-4,498,000
<b>VOCATIONAL AND ADULT EDUCATION</b>					
<b>Vocational and Applied education:</b>					
Basic grants.....	900,000,000	930,500,000	980,595,000	+80,595,000	+50,095,000
Additional appropriation 9/30 1/.....	49,750,000	60,000,000		-49,750,000	-60,000,000
Subtotal, basic grants.....	949,750,000	990,500,000	980,595,000	+30,845,000	-9,905,000
Community - based organizations.....	12,000,000	12,000,000	11,880,000	-120,000	-120,000
Consumer and homemaking education.....	35,000,000		34,650,000	-350,000	+34,650,000
Tech Prep.....	90,000,000	100,000,000	120,285,000	+30,285,000	+20,285,000
Supplementary grants, equipment.....					
Additional appropriation 9/30 1/.....	9,950,000			-9,950,000	
Tribally controlled post-secondary vocational institutions 2/.....	2,500,000	2,500,000	2,970,000	+470,000	+470,000
State councils.....	9,000,000	9,000,000	8,910,000	-90,000	-90,000
<b>National programs:</b>					
Research.....	10,000,000	11,500,000	11,385,000	+1,385,000	-115,000
Technical assistance, sec. 404 (d).....	2,000,000			-2,000,000	
Demonstrations 1/.....	13,000,000	13,000,000	15,840,000	+2,840,000	+2,840,000
Data systems (NOICC/SOICC).....	5,000,000	5,000,000	9,900,000	+4,900,000	+4,900,000
Subtotal, national programs.....	30,000,000	29,500,000	37,125,000	+7,125,000	+7,625,000
Bilingual vocational training.....	3,000,000		2,970,000	-30,000	+2,970,000
Subtotal, Vocational and Applied tech. education.....	1,141,200,000	1,143,500,000	1,199,385,000	+58,185,000	+55,885,000
<b>Adult education:</b>					
State Programs.....	235,750,000	260,750,000	258,142,000	+22,392,000	-2,608,000
National programs.....	9,000,000	9,000,000	8,910,000	-90,000	-90,000
Literacy training for homeless adults.....	9,759,000	9,759,000	9,661,000	-98,000	-98,000
Workplace literacy partnerships.....	19,251,000	19,251,000	19,058,000	-193,000	-193,000
English literacy grants.....	1,000,000		990,000	-10,000	+990,000
Commercial driver literacy.....	2,500,000			-2,500,000	
State literacy resource centers.....	5,000,000	5,000,000	7,920,000	+2,920,000	+2,920,000
Literacy programs for prisoners.....	5,000,000		4,950,000	-50,000	+4,950,000
Subtotal, adult education.....	287,260,000	303,760,000	309,631,000	+22,371,000	+5,871,000
Total, Vocational and adult education.....	1,428,460,000	1,447,260,000	1,509,016,000	+80,556,000	+61,756,000

1/ Reflects rescission enacted 6/92.

2/ Current funded

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor,  
Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>STUDENT FINANCIAL ASSISTANCE</b>					
Pell Grants: Academic year 91-92 shortfall .....		332,173,000	703,890,000	+ 703,890,000	+ 371,717,000
Pell Grants: Academic year 1993 - 1994 .....	5,398,000,000	6,243,464,000	6,067,710,000	+ 669,710,000	-175,754,000
Additional appropriation 9/30 1/ .....	61,690,000	62,000,000		-61,690,000	-62,000,000
DOD transfer for Desert Storm .....	3,165,000			-3,165,000	
Advance appropriation (FY93 - FY95) .....	9,495,000			-9,495,000	
Legislative savings .....			-185,130,000	-185,130,000	-185,130,000
Subtotal, current year .....	5,472,350,000	6,305,464,000	5,882,580,000	+ 410,230,000	-422,884,000
Presidential Achievement Scholarships .....		170,000,000			-170,000,000
Supplemental educational opportunity grants .....	577,000,000	358,000,000	571,230,000	-5,770,000	+ 213,230,000
Work-study .....	615,000,000	454,000,000	608,850,000	-6,150,000	+ 154,850,000
Income contingent loans .....	4,890,000	5,000,000		-4,890,000	-5,000,000
Perkins loans:					
Federal capital contributions .....	156,000,000		248,490,000	+ 92,490,000	+ 248,490,000
Loan cancellations .....		15,000,000	14,850,000	+ 14,850,000	-150,000
Subtotal, Perkins loans .....	156,000,000	15,000,000	263,340,000	+ 107,340,000	+ 248,340,000
State student incentive grants .....	72,000,000		71,280,000	-720,000	+ 71,280,000
Grants to states to improve licensure .....		50,000,000			-50,000,000
Total, Student Financial Assistance .....	6,897,230,000	7,689,637,000	8,101,170,000	+ 1,203,940,000	+ 411,533,000
Current year FY 1993 .....	(6,887,735,000)	(7,689,637,000)	(8,101,170,000)	(+ 1,213,435,000)	(+ 411,533,000)
FY 1993 - 1995 .....	(9,495,000)			(-9,495,000)	
<b>GUARANTEED STUDENT LOANS (LIQUIDATING)</b>					
Contract authority to liquidate pre-1992 loan subsidies 2/ .....	(2,135,830,000)	(3,050,930,000)	(3,050,930,000)	(+ 915,100,000)	
Appropriation, including shortfalls (non-add) 3/ .....	(4,220,459,000)			(-4,220,459,000)	
<b>GUARANTEED STUDENT LOANS PROGRAM</b>					
Guaranteed Student Loans:					
New loan subsidies (contract authority) .....	2,436,467,000	2,862,761,000	2,862,761,000	+ 426,294,000	
Mandatory admin expenses (contract authority) .....	203,345,000	67,397,000	67,397,000	-135,948,000	
Total .....	2,639,812,000	2,930,158,000	2,930,158,000	+ 290,346,000	
GSL LOAN ADMINISTRATION .....	43,870,000	65,000,000	64,350,000	+ 20,480,000	-650,000
<b>HIGHER EDUCATION</b>					
Aid for institutional development:					
Strengthening institutions .....	87,831,000	87,831,000	86,953,000	-878,000	-878,000
Strengthening historically black colleges and univ .....	100,000,000	100,000,000	99,000,000	-1,000,000	-1,000,000
Strengthening historically black grad institutions .....	11,711,000	11,711,000	11,594,000	-117,000	-117,000
Endowment grants, regular .....	7,500,000	7,500,000	7,425,000	-75,000	-75,000
Endowment grants, new proposal .....		10,000,000			-10,000,000
Subtotal, institutional development .....	207,042,000	217,042,000	204,972,000	-2,070,000	-12,070,000
Program development:					
Fund for the Improvement of Postsec. Education .....	15,000,000	16,000,000	14,850,000	-150,000	-1,150,000
Minority science improvement .....	6,000,000	6,000,000	5,940,000	-60,000	-60,000
Innovative projects for community services .....	1,463,000	6,830,000	1,448,000	-15,000	-5,382,000
Student Literacy Corps .....	5,367,000		5,313,000	-54,000	+ 5,313,000
International educ and foreign language studies: 4/					
Domestic programs .....	30,000,000	30,000,000	33,640,000	+ 3,640,000	+ 3,640,000
Additional appropriations 9/30 1/ .....	3,980,000	4,000,000		-3,980,000	-4,000,000
Overseas programs .....	6,000,000	6,000,000	10,890,000	+ 4,890,000	+ 4,890,000
Subtotal, international education .....	39,980,000	40,000,000	44,530,000	+ 4,550,000	+ 4,530,000
Cooperative education .....	14,000,000	14,000,000	13,860,000	-140,000	-140,000
Law school clinical experience .....	8,000,000		7,920,000	-80,000	+ 7,920,000
Urban Community Service .....	8,000,000		7,920,000	-80,000	+ 7,920,000
Foreign language periodicals .....	500,000		990,000	+ 490,000	+ 990,000
Subtotal, Program development .....	98,310,000	82,830,000	102,771,000	+ 4,461,000	+ 19,941,000
Construction:					
Interest subsidy grants, prior year construction .....	19,412,000	18,840,000	18,652,000	-760,000	-188,000
Special grants:					
Assistance to Guam .....	500,000			-500,000	
Robert A. Taft Institute .....	550,000	325,000	322,000	-228,000	-3,000
Magnuson Endowment .....	2,000,000			-2,000,000	
Bethune-Cookman .....	300,000			-300,000	
Subtotal, Special grants .....	3,350,000	325,000	322,000	-3,028,000	-3,000
Special Program for the Disadvantaged (TRIO):					
Student Support Services .....	110,000,000	110,000,000	128,601,000	+ 18,601,000	+ 18,601,000
Additional appropriations 9/30 1/ .....	19,900,000	20,000,000		-19,900,000	-20,000,000
Subtotal, Student support services .....	129,900,000	130,000,000	128,601,000	-1,299,000	-1,399,000

1/ Reflects rescission enacted 6/92.

2/ Includes \$266,365,000 of FY92 legislative savings proposed for later transmittal.

3/ Excludes Dept. of Defense transfer of \$5,933,000 in FY92 and \$2,262,000 in FY93.

4/ Fellowships shown under graduate programs.

H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
Undergraduate outreach 1/	242,199,000	265,404,000	239,777,000	-2,422,000	-25,627,000
School, college and university partnerships	4,000,000	4,000,000	3,960,000	-40,000	-40,000
Staff training	2,000,000		1,980,000	-20,000	+1,980,000
Evaluation	1,450,000	2,000,000	1,435,000	-15,000	-585,000
Total, Special prog for the disadvantages (TRIO)	379,549,000	401,404,000	375,753,000	-3,796,000	-25,651,000
Graduate outreach:					
Minority participation in graduate education	5,953,000		5,893,000	-60,000	+5,893,000
McNair post-baccalaureate program	9,600,000		9,504,000	-96,000	+9,504,000
McNair graduate outreach (proposed legislation)		15,553,000			-15,553,000
Subtotal, Graduate outreach	19,003,000	17,553,000	18,812,000	-191,000	+1,259,000
Undergraduate scholarships:					
Byrd honors scholarships	9,642,000	9,642,000	9,546,000	-96,000	-96,000
National science scholars	4,500,000	15,000,000	12,177,000	+7,677,000	-2,823,000
National math/science scholars, new			2,178,000	+2,178,000	+2,178,000
Douglas teacher scholarships	15,000,000	15,000,000	14,850,000	-150,000	-150,000
Subtotal, Undergraduate scholarships	29,142,000	39,642,000	38,751,000	+9,609,000	-891,000
Graduate fellowships:					
Harris graduate fellowships	17,800,000		17,424,000	-176,000	+17,424,000
Harris public service fellowships	3,200,000		3,168,000	-32,000	+3,168,000
Javits fellowships	8,000,000		7,920,000	-80,000	+7,920,000
Graduate assistance in areas of national need	28,000,000		27,720,000	-280,000	+27,720,000
Foreign language and area studies fellowships VI	13,000,000		12,870,000	-130,000	+12,870,000
Proposed national graduate fellowships		74,800,000			-74,800,000
Subtotal, Graduate fellowships	69,800,000	74,800,000	69,102,000	-698,000	-5,698,000
Veterans' education outreach	2,700,000		2,673,000	-27,000	+2,673,000
Legal training for the disadvantaged (CLEO)	3,045,000	3,045,000	3,015,000	-30,000	-30,000
Total, Higher education	827,903,000	853,481,000	831,408,000	+3,505,000	-22,073,000
HOWARD UNIVERSITY					
Academic program	153,515,000	158,427,000	151,980,000	-1,535,000	-6,447,000
Endowment grant	2,928,000	5,000,000	3,378,000	+450,000	-1,622,000
Research	4,616,000	4,616,000	4,570,000	-46,000	-46,000
Howard University Hospital	28,301,000	29,207,000	28,915,000	+614,000	-292,000
Emergency construction	23,000,000		6,435,000	-16,565,000	+6,435,000
Total, Howard University	212,360,000	197,250,000	195,278,000	-17,082,000	-1,972,000
COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS (LIQUIDATING): Interest subsidy payments	(3,598,000)	(3,523,000)	(3,523,000)	(-75,000)	
COLLEGE HOUSING AND ACADEMIC FACILITIES PROGRAM:					
New loan subsidies	7,539,000		2,997,000	-4,542,000	+2,997,000
Federal administration	556,000	740,000	733,000	+177,000	-7,000
Loan limitation	(30,000,000)		(29,700,000)	(-300,000)	(+29,700,000)
Total, College Housing Program	8,095,000	740,000	3,730,000	-4,365,000	+2,990,000
EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT					
Research and statistics:					
Research	71,000,000	115,000,000	70,290,000	-710,000	-44,710,000
Statistics	47,313,000	63,600,000	62,964,000	+15,651,000	-636,000
Assessment (NAEP)	29,900,000	64,800,000	29,601,000	-299,000	-35,199,000
Subtotal, Research and statistics	148,213,000	243,400,000	162,855,000	+14,642,000	-80,545,000
Fund for Innovation in Education	24,000,000	25,000,000	19,800,000	-4,200,000	-5,200,000
Civic education	3,800,000		3,762,000	-38,000	+3,762,000
Fund for the Improvement and Reform of Schools and Teaching:					
Grants for schools and teachers	5,495,000	5,495,000	5,440,000	-55,000	-55,000
Family-school partnerships	3,755,000	3,755,000	3,717,000	-38,000	-38,000
Eisenhower mathematics and science educ national program (Clearinghouse non-add)	16,000,000 (3,500,000)	56,000,000 (5,700,000)	15,840,000 (3,465,000)	-160,000 (-35,000)	-40,160,000 (-2,235,000)
Eisenhower math-science regional consortia	12,000,000	12,000,000	11,880,000	-120,000	-120,000
National Diffusion Network	14,700,000	14,700,000	14,553,000	-147,000	-147,000
Blue ribbon schools	885,000	895,000	886,000	+1,000	-9,000
Javits gifted and talented students education	9,732,000	9,732,000	9,635,000	-97,000	-97,000
Star schools	17,417,000	17,417,000	18,228,000	+811,000	+811,000
Additional appropriations 9/30 2/	995,000	1,000,000		-995,000	-1,000,000
Educational partnerships	4,233,000	4,233,000	4,191,000	-42,000	-42,000
Territorial teacher training	1,769,000	1,769,000	1,751,000	-18,000	-18,000
Leadership in educational administration (LEAD)	370,000			-370,000	
National writing project	2,500,000		2,475,000	-25,000	+2,475,000
Partnerships for innovative teacher education		20,000,000			-20,000,000
Subtotal, ASRI	265,864,000	415,396,000	275,013,000	+9,149,000	-140,383,000
National board for professional teacher standards	4,880,000		4,831,000	-49,000	+4,831,000
Total, ERSI	270,744,000	415,396,000	279,844,000	+9,100,000	-135,552,000

1/ Includes Upward Bound, Talent Search, Ed. Opp. Centers.

2/ Reflects rescission enacted 6/92.

### H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>LIBRARIES</b>					
Public libraries:					
Services.....	83,898,000	35,000,000	83,059,000	-839,000	+48,059,000
Construction.....	16,718,000		16,551,000	-167,000	+16,551,000
Interlibrary cooperation.....	19,908,000		19,709,000	-199,000	+19,709,000
Research and demonstrations.....	325,000		322,000	-3,000	+322,000
Library career training 1/.....	5,000,000		4,950,000	-50,000	+4,950,000
Research libraries.....	5,855,000		5,796,000	-59,000	+5,796,000
Library literacy programs.....	8,163,000		8,081,000	-82,000	+8,081,000
College library technology.....	6,404,000		6,340,000	-64,000	+6,340,000
Foreign language materials (Title V-LSCA).....	976,000		966,000	-10,000	+966,000
Total, Libraries.....	147,247,000	35,000,000	145,774,000	-1,473,000	+110,774,000
<b>DEPARTMENTAL MANAGEMENT</b>					
PROGRAM ADMINISTRATION.....	291,527,000	325,000,000	305,799,000	+14,272,000	-19,201,000
OFFICE FOR CIVIL RIGHTS, SALARIES AND EXPENSES.....	53,625,000	61,400,000	56,857,000	+3,232,000	-4,543,000
OFFICE OF THE INSPECTOR GENERAL, SALARIES AND EXPENSES.....	26,260,000	31,700,000	28,652,000	+2,382,000	-3,048,000
Total, Departmental management.....	371,412,000	418,100,000	391,308,000	+19,896,000	-26,792,000
Total, Department of Education.....	27,275,434,000	29,241,217,000	28,931,697,000	+1,656,263,000	-309,520,000
Current year FY 1993.....	(27,265,939,000)	(29,241,217,000)	(28,931,697,000)	(+1,665,758,000)	(-309,520,000)
FY 1993 - 1995.....	(9,495,000)			(-9,495,000)	
Total including Guaranteed Student Loans.....	(29,411,264,000)	(32,292,147,000)	(31,982,627,000)	(+2,571,363,000)	(-309,520,000)
<b>TITLE IV - RELATED AGENCIES</b>					
Action (Domestic Programs):					
Volunteers in Service to America:					
VISTA operations.....	32,688,000	35,822,000	34,947,000	+2,259,000	-875,000
VISTA Literacy Corps.....	4,776,000	5,204,000	5,049,000	+273,000	-155,000
Student Community Service.....	976,000	976,000	966,000	-10,000	-10,000
Subtotal.....	38,440,000	42,002,000	40,962,000	+2,522,000	-1,040,000
Special Volunteer Programs: Drug programs.....	1,225,000	1,225,000	990,000	-235,000	-235,000
Older Americans Volunteer Programs:					
Foster Grandparents Program.....	65,590,000	65,590,000	65,063,000	-527,000	-527,000
Senior Companion Program.....	28,727,000	28,727,000	28,571,000	-156,000	-156,000
Retired Senior Volunteer Program.....	34,128,000	34,128,000	33,787,000	-341,000	-341,000
Subtotal, Older Volunteers.....	128,445,000	128,445,000	127,421,000	-1,024,000	-1,024,000
Inspector General.....	954,000	1,020,000	944,000	-10,000	-76,000
Program Support.....	29,528,000	32,445,000	31,185,000	+1,657,000	-1,260,000
Total, Action.....	198,592,000	205,137,000	201,502,000	+2,910,000	-3,635,000
Corporation for Public Broadcasting: FY95 (current request) 2/.....	275,000,000	275,000,000	272,250,000	-2,750,000	-2,750,000
Federal Mediation and Conciliation Service.....	28,118,000	29,594,000	30,195,000	+2,077,000	+601,000
Federal Mine Safety and Health Review Commission.....	5,143,000	5,830,000	5,772,000	+629,000	-58,000
National Commission on Acquired Immune Deficiency Syndrome.....	1,750,000	3,000,000	1,732,000	-18,000	-1,268,000
National Commission on Children.....	950,000			-950,000	
National Commission on Libraries and Information Science.....	831,000	1,000,000	590,000	-241,000	-410,000
White House Conference on Library and Information Services.....			400,000	+400,000	+400,000
National Commission on Responsibilities for Financing Postsecondary Education.....		236,000	208,000	+208,000	-28,000
National Commission to Prevent Infant Mortality.....	440,000	440,000		-440,000	-440,000
National Council on Disability.....	1,589,000	1,800,000	1,553,000	-16,000	-247,000
National Labor Relations Board.....	162,000,000	172,905,000	171,176,000	+9,176,000	-1,729,000
National Mediation Board.....	6,775,000	7,950,000	7,870,000	+1,095,000	-80,000
Occupational Safety and Health Review Commission.....	6,711,000	7,241,000	7,169,000	+458,000	-72,000
Physician Payment Review Commission (trust funds).....	(4,398,000)	(4,496,000)	(4,451,000)	(+153,000)	(-45,000)
Prospective Payment Assessment Commission (trust funds).....	(4,030,000)	(4,463,000)	(4,418,000)	(+388,000)	(-45,000)
Railroad Retirement Board:					
Dual benefits payments account.....	319,100,000	297,000,000	294,030,000	-25,070,000	-2,970,000
Contingency reserve (non-add).....		(5,940,000)	(5,881,000)	(+5,881,000)	(-59,000)
Less income tax receipts on dual benefits.....	(18,000,000)	(22,000,000)	(22,000,000)	-4,000,000	
Subtotal, dual benefits.....	301,100,000	275,000,000	272,030,000	-29,070,000	-2,970,000
Federal payment to the Railroad Retirement Account.....	400,000	100,000	100,000	-300,000	
Limitation on administration:					
(Retirement).....	(72,287,000)	(76,911,000)	(75,240,000)	(+2,953,000)	(-1,671,000)
(Unemployment).....	(17,283,000)	(17,689,000)	(17,325,000)	(+62,000)	(-364,000)
Subtotal, administration.....	(89,550,000)	(94,600,000)	(92,565,000)	(+3,015,000)	(-2,035,000)
(Special Management Improvement Fund).....	(3,264,000)	(3,758,000)	(3,720,000)	(+458,000)	(-38,000)
Total, limitation on administration.....	(92,814,000)	(98,358,000)	(96,285,000)	(+3,471,000)	(-2,073,000)
(Inspector General).....	(6,395,000)	(6,900,000)	(5,544,000)	(-851,000)	(-1,356,000)

1/ Training funds requested under Higher Education.

2/ FY 1992 appropriation advance in FY90 is \$327,280,000. FY 1993 appropriation advance in FY91 is \$318,636,000. FY 1994 appropriation advance in FY92 is \$275,000,000.

**H.R. 5677 - Fiscal Year 1993 Appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies**

	FY 1992 Comparable	FY 1993 Request	FY 1993 Bill	Bill vs FY 1992 Comparable	Bill vs FY 1992 Request
<b>Soldiers' and Airmen's Home (trust fund limitation):</b>					
Operation and maintenance.....	41,352,000	43,236,000	40,938,000	-414,000	-2,298,000
Capital outlay.....	4,220,000	7,174,000	4,178,000	-42,000	-2,996,000
United States Institute of Peace.....	11,000,000	11,000,000	10,890,000	-110,000	-110,000
<b>United States Naval Home (trust fund limitation):</b>					
Operation and maintenance.....	10,055,000	11,070,000	9,954,000	-101,000	-1,116,000
Capital program.....	1,253,000	477,000	472,000	-781,000	-5,000
<b>Total, Title IV, Related Agencies:</b>					
Federal Funds.....	1,057,259,000	1,058,190,000	1,038,979,000	-18,280,000	-19,211,000
Current year, FY 1993.....	(782,259,000)	(783,190,000)	(766,729,000)	(-15,530,000)	(-16,461,000)
FY 1995.....	(275,000,000)	(275,000,000)	(272,250,000)	(-2,750,000)	(-2,750,000)
Trust funds.....	(107,637,000)	(114,217,000)	(110,698,000)	(+3,061,000)	(-3,519,000)
<b>SUMMARY</b>					
<b>Title I - Department of Labor:</b>					
Federal Funds.....	7,518,049,000	7,999,614,000	8,084,255,000	+566,206,000	+84,641,000
Current year.....	(7,330,349,000)	(7,811,914,000)	(8,084,255,000)	(+753,906,000)	(+272,341,000)
1994 advance.....	(187,700,000)	(187,700,000)	.....	(-187,700,000)	(-187,700,000)
Trust Funds.....	(3,697,527,000)	(3,588,467,000)	(3,589,103,000)	(-108,424,000)	(+20,636,000)
<b>Title II - Department of Health and Human Services:</b>					
Federal Funds.....	182,914,610,000	206,120,270,000	206,023,598,000	+23,106,988,000	-96,672,000
Current year.....	(156,376,610,000)	(169,250,925,000)	(169,515,598,000)	(+13,138,988,000)	(+264,673,000)
1994 advance.....	(26,538,000,000)	(36,869,345,000)	(36,508,000,000)	(+9,970,000,000)	(-361,345,000)
Trust Funds.....	(6,895,123,000)	(6,879,153,000)	(6,714,676,000)	(-180,447,000)	(-164,477,000)
<b>Title III - Department of Education:</b>					
Federal Funds.....	27,275,434,000	29,241,217,000	28,931,697,000	+1,656,263,000	-309,520,000
Current year.....	(27,265,939,000)	(29,241,217,000)	(28,931,697,000)	(+1,665,758,000)	(-309,520,000)
FY 1993 - 1995.....	(9,495,000)	.....	.....	(-9,495,000)	.....
Total Including Guaranteed Student Loans.....	(29,411,264,000)	(32,292,147,000)	(31,982,627,000)	(+2,571,363,000)	(-309,520,000)
<b>Title IV - Related Agencies:</b>					
Federal Funds.....	1,057,259,000	1,058,190,000	1,038,979,000	-18,280,000	-19,211,000
Current year.....	(782,259,000)	(783,190,000)	(766,729,000)	(-15,530,000)	(-16,461,000)
1995 advance.....	(275,000,000)	(275,000,000)	(272,250,000)	(-2,750,000)	(-2,750,000)
Trust Funds.....	(107,637,000)	(114,217,000)	(110,698,000)	(+3,061,000)	(-3,519,000)
<b>Total, all titles:</b>					
Federal Funds.....	218,765,352,000	244,419,291,000	244,078,529,000	+25,313,177,000	-340,762,000
Current year.....	(191,755,157,000)	(207,087,246,000)	(207,298,279,000)	(+15,543,122,000)	(+211,033,000)
1993 - 1995 advance.....	(9,495,000)	.....	.....	(-9,495,000)	.....
1994 advance.....	(26,725,700,000)	(37,057,045,000)	(36,508,000,000)	(+9,782,300,000)	(-549,045,000)
1995 advance.....	(275,000,000)	(275,000,000)	(272,250,000)	(-2,750,000)	(-2,750,000)
Trust Funds.....	(10,700,287,000)	(10,561,837,000)	(10,414,477,000)	(-285,810,000)	(-147,360,000)

□ 1310

PROVIDING FOR CONSIDERATION OF H.R. 5620, SUPPLEMENTAL APPROPRIATIONS, TRANSFERS, AND RESCISSIONS ACT, 1992

Mr. BONIOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 527, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 527

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 5620) making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against the bill and against its consideration are waived. After general debate, which shall be confined to the bill and which shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, the bill shall be considered as read through page 21, line 11, and shall be considered for amendment under the five-minute rule for a period not to exceed two hours. Within such two-hour period, debate on title III of the bill and any amendments thereto may not exceed thirty minutes. If such two-hour period is exhausted, the disposition of any questions then pending and the reading of the last two lines of the bill shall constitute the conclusion of consideration of the bill for amendment. Unless the Committee has sooner risen on a motion offered as preferential under clause 2(d) of rule XXI, at the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend.

The SPEAKER pro tempore (Mr. HOYER). The gentleman from Michigan [Mr. BONIOR] is recognized for 1 hour.

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

Mr. Speaker, during consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, this bill may seem to Members obscure and technical. We are taking money set aside last year for the gulf war and we are returning it to the Treasury, essentially giving \$12 billion back to the American people.

It seems like a simple accounting maneuver, but today's vote is important for America, not just for what we do but for what we can learn by the experience we have gone through in terms of not only the war but the funding of the war itself.

In the Persian Gulf, all Americans supported our troops and we gave

them, most importantly, we gave them the resources that they needed to win. But this time, we did something different: Congress demanded our allies pay for their fair share of this war. And it worked.

Mr. Speaker, this bill is a result of that success.

What does the success teach us? Several things. No. 1, there is a lesson for America: It teaches us that this concept that some of us on both sides of the aisle have been talking for for a number of years, this idea of burden sharing—burden sharing means what it says—and when applied with force, it works. It teaches us that when we are tough with the rest of the world, when we say that if our country defends their interests, they should at least pay or help pay for the benefits that they are gaining, in fact they will go along and do that.

We saw that in terms of what has happened with Japan, Germany, and other European countries, and of course Saudi Arabia and Kuwait, in terms of paying for their share of the war.

In Japan's case, for instance, the vast majority of the natural resources, when it comes to energy, when it comes to oil, is derived from the Persian Gulf, and through discussions, talks, cajoling and other mechanisms, we were able to get them to ante into the kitty to help pay for the effort that was made.

When America gets tough, we get respect; and when we get respect, we get results.

Now, second, the lesson, there is another lesson in there for this body, and it is this: that when we get tough, we get results. It was our efforts to promote burden sharing that resulted in other countries backing up their rhetoric with cash.

As I have just mentioned, we told Japan and Europe that they have grown up, that 1945 is gone, that they are viable, stable, wealthy nations, and that when their interests are defended, they have an obligation to help pay for that defense.

The world has changed, our allies can pay for their fair share.

America can and has led the world and we will continue to lead the world. But the American taxpayer does not have to go it alone, to foot the bill.

There is a third, I think, a final lesson to be drawn, and it is a lesson drawn from the way we stood behind our troops, ready to give them every tool that was necessary to fight Saddam Hussein.

Now our troops, most of them, are back home. Do we help them when they are outside of our borders? Should not we work just as hard to help them when they are in the States as we helped them when they were in Saudi Arabia?

The message that each of us hears across this country as we meet with

our constituents is that it is time to take care of our own right here at home.

We have, as everyone knows in this Chamber, we are in a prolonged and deep recession that has lasted 2 years now. We have 17 million Americans who cannot find full-time work, close to 11 million who are out of work permanently, and an additional 6 million or 7 million who can only find part-time work.

We have millions of hard working Americans, including many veterans of the gulf war, out of work through no fault of their own.

Mr. Speaker, today we are turning back \$12 billion to the U.S. Treasury. We won the war and saved the American taxpayers' dollars. We can lead the world and take care of our people at home. We have to show the same commitment to those seeking a job as we did to those seeking the enemy.

I would say with all due respect to my friends on the other side of the aisle, and to the administration if they are listening, that we have moved together in recent days, recent weeks, recent months, to extend unemployment compensation and put some permanency into the law so that we do not have to go through that battle each and every time the compensation week numbers run out, so that we give some stability to people who are part of that number that I just recited, 17 million, that there will be extended benefits. We worked together on that. We are working together on an urban aid package that we hope—we are not sure, but we hope—will have programs in it that will meet the needs of the people, not only for urban areas but our rural areas as well.

And I would ask one other thing: that we work together in the remaining weeks of this summer session and certainly in the fall, in the remaining weeks in the fall session before we adjourn sine die, to pass a public works component that will put upward of 125,000 of our people to work on our roads, bridges, our highways and all the important infrastructure that is needed to help propel the engine to get this economy moving again.

As you know, we passed an amendment offered by the distinguished gentleman from Wisconsin [Mr. OBEY] to the transportation appropriations bill that would do just that. I am hopeful that the administration will see fit to use it, if it deems necessary, not only the money that was saved on the foreign appropriations bill or the money that was saved, \$3.5 billion, on the defense appropriations bill, but if it deems it necessary, the \$12 billion that today we are moving back to the Treasury, to put our people at home back to work.

Let me finally conclude by saying that we have got to move ahead on these particular issues, health care, as

well as jobs programs that I have mentioned.

So, as we vote today, let us focus on the strength and commitment that we showed our troops. Let us look at, too, let us show the same commitments when it comes to building a future and building a future for our children.

The administration should take note, burden sharing works.

I remember when several of us, in fact most of us, were called during the summer 2 years ago to come to the White House to meet with the President. We met with him down in an amphitheater, we had a large number of Members there. One of the first questions that was raised about the imminent gulf war was how we were going to pay for it, Mr. President. And a number of us suggested the concept of burden sharing should be foremost in the minds of the administration and the Congress. I am glad to see that it was, and I am glad to see that we are here today bearing the results of that effort that was made in a bipartisan fashion by both Democrats and Republicans.

Mr. Speaker, I have some other comments relating to the technical points of the bill. I will be very brief, and then I will yield to my friend from California.

The bill that we are considering, House Resolution 527, provides for the consideration of the larger bill, H.R. 5620, a bill making supplemental appropriations, transfers, and rescissions for the fiscal year 1992.

□ 1320

The rule, as the Clerk has indicated, waives all points of order against the bill and against its consideration. It provides for 1 hour of general debate, equally divided between the chairman and the ranking minority member of the Committee on Appropriations. After general debate, the rule provides that the bill will be considered as read, up to the last two lines, and it will be considered for amendment for up to 2 hours, of which 30 minutes will be available for debate on title III.

Finally, Mr. Speaker, the rule provides one motion to recommit the bill, and I urge my colleagues to support the rule and to support the bill.

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

Mr. Speaker, let me at the outset say how extraordinarily happy I am to see my very good friend, the gentleman from Michigan [Mr. BONIOR], returned and in very good health. I have to say that I held out hopes that upon his return we would have wonderful rules emanating from the Committee on Rules, but unfortunately that is not the case. This rule and the bill that it makes in order, Mr. Speaker, are exhibit A as to why the President very much needs line-item veto authority.

The line-item veto, incidentally, Mr. Speaker, is something that is not only

supported by our good friend, the senior ranking Republican on the Committee on Rules, the gentleman from New York [Mr. SOLOMON], but also by the Democrat Presidential nominee, Mr. Clinton, and President George Bush. A great number of my colleagues on the other side also profess support of the line-item veto. I have had Member after Member on the Democrat side come to me and say: "We strongly support the concept of the line-item veto."

Somehow we just can't seem to get them to vote for it.

Well, today once again we have another great opportunity for Republicans and Democrats to join together and support something that an overwhelming majority of the American people want us to support, the line-item veto. I urge my colleagues to defeat the previous question so that we can make in order the amendment that has been before, and I suspect will be again, offered by the gentleman from New York [Mr. SOLOMON] which will allow the line-item veto and enhanced rescission amendment to be made in order. For those of my colleagues who argue that it would be ineffective in lowering the deficit, consider this:

The President asked Congress for \$429 million to cover higher than expected personnel costs related to Operation Desert Storm, and I should say parenthetically, Mr. Speaker, that I greatly appreciate the fact that my friend, the distinguished Democrat whip, the gentleman from Michigan [Mr. BONIOR], was such a strong proponent of Operation Desert Storm. H.R. 5620 provides \$5.2 billion. That is a difference of almost \$4.8 billion. The bill also contains \$50 million for Department of Defense education assistance even though there is no national security requirement for these funds.

Now, Mr. Speaker, this is a terrible rule for a number of other reasons. First, it protects from a point of order the provision of prohibiting the Labor Department from enforcing the so-called helper regulations. For 10 years the Department of Labor has been trying to implement these rules which would save the American taxpayers more than \$500 million a year. The helper rule simply recognizes a separate class of workers for determining Davis-Bacon prevailing wages for Federal construction projects. Without the regulations, Mr. Speaker, thousands of disadvantaged and unemployed persons are being denied jobs because Congress mandates that contractors pay skilled labor wages.

Now my friend from Michigan said that we need to be concerned about the devastating economic climate here in the United States. This provision dealing with helper rules clearly addresses that, and tragically we are not going to be allowed under this rule to address it adequately. This bill permanently prohibits the Labor Department from en-

forcing those rules, a provision that violates clause 2 of rules XXI prohibiting legislative provisions in an appropriations bill.

Also the rule is essentially a closed rule because it limits amendments by limiting debate on all amendments to 2 hours. I have never seen such a procedure on an appropriations bill, and I am concerned that we are about to set a very dangerous precedent.

Mr. Speaker, this is one of the more egregious rules reported out by the Committee on Rules. We can make it less egregious by voting to defeat the previous question, by making in order the line-item veto enhanced rescission amendment to be offered by the gentleman from New York [Mr. SOLOMON]. I know that we have a number of Members who are going to be addressing this, the Davis-Bacon provisions, and other items, and so it is for that reason that I will urge a vote against the previous question so that we can finally try to rectify this.

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

Mr. BONIOR. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. Mr. Speaker, I rise in support of the rule and in support of this supplemental appropriation.

Mr. Speaker, in the best of times water is a precious commodity in the arid West. But during times of drought, scarce water supplies can spark open warfare in my region of the country.

As my State of Oregon enters its sixth straight year of drought, farmers and ranchers in my part of the country are beginning to fight for their economic survival. Having been hit by one environmental conflict after another, with threatened and endangered fish species competing for scarce water resources, those farmers, those ranchers, are now fighting against one of nature's most devastating assaults, a drought severe enough to turn farms into dust bowls and forests into tinderboxes.

In central Oregon, Mr. Speaker, water storage in Bureau of Reclamation projects is at only 39 percent of capacity. In eastern Oregon, storage is at a mere 8 percent of capacity, and at the current rate of use, Mr. Speaker, water storage will be depleted this month. That means zero, no water at all.

Congress and the administration, Mr. Speaker, have the authority to deal with this crisis, just as we do with the crisis in our east-side forests in the Northwest. But we cannot do anything about it without funds which the administration has been so reluctant to provide. In fact, the President has already been dropping hints about vetoing this urgently needed bill.

Frankly, Mr. Speaker, I am sick and tired of the administration's veto threats and its could-care-less attitude

toward our problems in Oregon and in the Pacific Northwest.

Mr. Speaker, once again it has fallen to the Committee on Appropriations to throw a lifeline to rural communities in the Northwest to keep their agricultural community alive until this drought ends. This bill's \$30 million in drought relief funds will permit water transfers, the drilling of additional wells to supplement water supply and the installation of fish screens to reduce fish kill at hydroelectric dams in our region, and it ensures that irrigation needs in our region that are so much at risk will be met.

Mr. Speaker, I want to thank the committee, and the chairman and the acting chairman, particularly the gentleman from California [Mr. FAZIO], my colleague, for working with me to provide this much-needed assistance to rural communities throughout Oregon and the West. I hope my colleagues give this legislation their overwhelming support, and I hope that the man in the White House, George Bush, will sign this urgently needed piece of legislation.

Mr. DREIER of California. Mr. Speaker, I yield 5 minutes to the very distinguished gentleman from New York [Mr. SOLOMON], the ranking Republican on the Committee on Rules, Mr. Line-Item Veto himself.

□ 1330

Mr. BONIOR. Mr. Speaker, I yield 30 seconds to the gentleman from New York [Mr. SOLOMON].

The SPEAKER pro tempore (Mr. HOYER). The gentleman from New York [Mr. SOLOMON] is recognized for 7½ minutes.

Mr. SOLOMON. Mr. Speaker, I thank the gentlemen for the time.

Mr. Speaker, I would just say to my colleagues on the floor and back in their offices that I have a list of seven organizations, including their letters, in which these organizations say that this rule is going to be the definitive vote on the line item veto during this 102d Congress. These organizations are the National Association of Manufacturers, the National Taxpayers Union, Americans for a Balanced Budget, Citizens for a Sound Economy, Americans for Tax Reform, United States Business and Industrial Council, Citizens Against Government Waste, and there are even more.

Mr. Speaker, let me just briefly read the letter from the Business and Industrial Council. It says:

On behalf of the 1,500 members and CEOs of the United States Business and Industrial Council, I would like to strongly endorse your effort to defeat the previous question today on the rule on the FY 1992 supplemental appropriation, which will permit consideration of a line item veto. We have long supported the line item veto and we consider the upcoming vote to be the definitive vote on the line item veto in the House of Representatives for the 102d Congress. We urge

your colleagues to support your effort to secure a vote on the line item veto and praise your effort to bring this about.

Mr. Speaker, let me first of all say to my good friend who has brought this appropriation bill to the floor: I certainly am not picking on him. The gentleman is one of the outstanding Members of this House and does a great job, as does his committee. But the truth is, this line item veto that I am proposing would affect all appropriation bills for fiscal year 1993.

Mr. Speaker, let me just say that I oppose this rule for a variety of reasons, not the least of which is the fact that it restricts the time for the amendment process to just two hours. My good friend, the gentleman from California [Mr. DREIER] has alluded to that.

Mr. Speaker, I think this is a very dangerous precedent for us to establish on this floor. For what is the most important responsibility given to us, the Members of the House of Representatives? It is to control the purse strings of the Government. That is what we are here for. That is what sets us apart from the other body.

Second, I oppose this rule because we are again protecting legislative language against points of order. The administration has made it clear that some of the legislative language makes this bill veto bait, and yet the Committee on Rules has protected it against points of order. So that means we are just wasting our time here today.

Mr. Speaker, I would suggest that the time has come for us to put our foot down on allowing all this legislating to take place in appropriation bills. Or, in the alternative, we should consider abolishing all of our authorizing committees as being obsolete.

We have rules of this House that we operate under. But this year the Committee on Appropriations and the Committee on Rules have collaborated in protecting everything of a legislative or unauthorized nature in all of the appropriation bills, with only one or two exceptions that I recall.

The more we do this, the more we encourage this practice to grow and become more abusive. We demean the Committee on Appropriations with this practice, we demean the authorizing committee, and we certainly disgrace this House. Let us just stop it.

Finally, Mr. Speaker, to my colleagues on both sides of the aisle who are not sure about what they were doing on Wednesday when I urged defeat of the previous question on the Interior appropriation rule so that we could make in order a line item veto rescission amendment for all fiscal 1993 appropriations bills, I want to give them another chance, another chance to put their vote where their mouth is. Back home in their districts many members are telling their constituents they are for the line-item veto.

Mr. Speaker, this is the definitive vote today. Members can put their vote where their mouth is.

Mr. Speaker, as I pointed out on Wednesday, President Reagan and now President Bush has been requesting line item veto authority over appropriation bills for the last 12 years. For the last 12 years this body right here, this House of Representatives, has denied it.

Earlier this week the Clinton-Gore ticket indicated their support for the line-item veto. After all, Democratic Members are supposed to be supportive of the Clinton-Gore ticket.

Well, under my amendment to this rule we do not have to change the Constitution to give the President this authority. All we need to do is reverse the Presidential rescission process in the Budget Act which now requires that Congress approve any Presidential rescissions of wasteful spending.

Mr. DREIER of California. Mr. Speaker, if the gentleman will yield, I would like to ask one quick question. Was I correct in understanding, and I said this myself, that Bill Clinton is actually a strong proponent of this, and yet his soldiers here in the House are refusing to support his attempt to implement the line-item veto?

Mr. SOLOMON. Mr. Speaker, that is absolutely right. That illustrates why we sometimes become hypocritical around here, and that is why I said we have to finally put our vote where our mouth is.

Now, my amendment is very simple. My amendment would permit the President to rescind funds in any fiscal year 1993 spending bill within 20 days of its enactment. Congress would then have 20 days in which to enact a resolution of disapproval by a simple majority vote.

What could be more fair than that? If the President then vetoes the disapproval resolution, it would take two-thirds of both houses to override his veto in order to force him to spend the money.

Mr. Speaker, I am not changing any law nor the rules of the House. That is what is required now, a two-thirds majority to override a veto.

Let me repeat to my colleagues on the other side of the aisle that the line-item veto is now supported by your candidate for President and your candidate for Vice President, by our Republican candidate for President and our candidate for Vice President, and by 175 Members on both sides of the aisle.

To quote from Hillary Clinton's favorite singer, Tammy Wynette, "Stand by your man," you Democrats. Show them back home that you have some backbone. Show them back home you have some guts, some old-fashioned guts.

Mr. Speaker, I challenge Members to come over to this floor and vote for this line-item veto.

Mr. BONIOR. Who is your candidate for Vice President?

Mr. SOLOMON. A great American named DAN QUAYLE.

Mr. BONIOR. We need to get that settled.

Mr. SOLOMON. A great American named DAN QUAYLE.

Incidentally, I called a great American on the phone on his 80th birthday. His name is Ronald Reagan. He reminded me of something about DAN QUAYLE. He said, "Do you remember back in the early eighties when we were fighting to build up a 'peace through strength' concept in this country that brought down the Berlin Wall and tore down the Iron Curtain?" He said, "DAN QUAYLE was the chairman of the Subcommittee on Procurement for all the weapons systems that were used in Desert Storm. It was his ingenuity."

Mr. Speaker, you know what? I am so damned proud of him; he is going to be the next Vice President, too, come January 20.

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

Mr. Speaker, the Vice President is a friend of mine as well, but I must say that the question of allowing the Vice President of the United States, who may in fact someday become the President, to have line-item veto, I think is terribly disturbing to a number of us on this side of the aisle.

The gentleman from New York [Mr. SOLOMON] suggested that he was not picking on the distinguished acting chairman, the gentleman from Kentucky [Mr. NATCHER]. I cannot think of anything more that would pick on the gentleman from Kentucky than to providing a line-item veto for the President of the United States and basically changing the rules of the game from 50 percent necessary to get things done around here to two-thirds, and basically emasculating the legislative branch of Government.

For those who are listening on the floor and elsewhere, let me just say that this vote to defeat the previous question is significant because of basically two things: No. 1, if it was successful and the gentleman from New York [Mr. SOLOMON] or the gentleman from California [Mr. DREIER] wanted to offer a new rule or amend the rule that we are on right now to provide the opportunity for a line-item veto, it would not be germane. It would not be in order.

□ 1340

So we are going through this exercise. It is an exercise in polemics, an exercise in debate. The fact of the matter is that the end product would never be reached because of germaneness.

Mr. DREIER of California. Mr. Speaker, will the gentleman yield?

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

Mr. DREIER of California. Mr. Speaker, the only question that I

would ask of my very good friend is, first of all, I know that while he is a member of the Committee on Rules, he is not a parliamentarian. We have amendment after amendment which is rammed down our throats, amendments which are nongermane to legislation constantly.

All we are trying to do is implement the will of the American people and the will of our party nominees.

Mr. BONIOR. Mr. Speaker, there is a process ongoing now, discussions between the ranking member on the Committee on Rules and the subcommittee chair that deals with the line-item veto. And discussions are ongoing to bring the issue before the American people in terms of hearings and other legislative processes.

I think that issue, in fact, is being discussed, but it would not be, as I indicated, germane to this bill today, no matter what happens on the vote on the previous question.

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

Mr. BONIOR. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, the gentleman is a good friend. I am glad he is back here and in good health and on his feet.

Let me just say this: First of all, the gentleman raises a germane question, and he is absolutely right. But again, this rule is just an attempt to block a vote on the line-item veto. The Rules Committee can—and does—waive any rule the majority decides to. It could have made this amendment in order. Even if the Rules Committee did not protect this amendment against a point of order, I would have asserted the right of the minority to appeal the ruling of the Chair. I will try any permissible tactic to get a vote on the line-item veto.

So I just hope that Members will come over and defeat the previous question. And I can guarantee my colleagues one thing, if we get the 80 votes from the majority side of the aisle from Members who have sponsored the line-item veto, we will pass it. And the American people will be happy.

Mr. BONIOR. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. STENHOLM].

Mr. STENHOLM. Mr. Speaker, I rise in opposition to this bill and to this rule. It is an unfair rule for a bill lacking in merit, if Members are concerned about our Nation's debt and deficits.

Later today the House will be debating the issue of Davis-Bacon. We should not be having this debate at this time, just like I concur with the statement of the gentleman from Michigan concerning germaneness and where we are going to be on this motion on the previous question, which should not be debated at this time. It should be debated on this floor under the regular authorizing process. But unfortunately, it will not.

The rider that was slipped in this supplemental appropriations bill concerning Davis-Bacon is what is forcing the debate on this issue today by this gentleman. The rider would prohibit the Department of Labor from implementing regulations allowing the use of helpers on Federal and federally assisted construction. These regulations are the product of 10 years of revisions and review by the Department of Labor and the courts.

This rule makes it possible for the opponents of these regulations to overturn more than 10 years of work in a few minutes. We will have only 30 minutes to debate this amendment—not nearly enough time to debate an issue of this significance and complexity. We should not overturn 10 years of regulatory work in a rider on an appropriations bill that was added without any hearings and very little debate in the Appropriations Committee or on the floor.

The argument of the gentleman from Michigan is totally correct against the gentleman from New York, but it ought to be also enforced to the same degree on the amendment that I object to today.

This rider is legislation on an appropriations bill and should be subject to clause 2 of rule 21 which states that—

No provision changing existing law shall be reported in any general appropriation bill except germane provisions which retrench expenditures by the reduction of amounts of money covered by the bill.

Now, this rule was established in order to ensure that authorizing legislation be written by the authorizing committees.

The rules of the House say that we should not be here debating Davis-Bacon today, that this rider should not be in an appropriations bill. So what is the provision doing in the bill? The answer is quite simple. Once again, all points of order are waived against the bill.

This is an example of the irresponsible legislating that has damaged the reputation of this body. We have waived the Budget Act 664 times on our way to a \$4 trillion debt. Mr. Speaker, what is the purpose of our rules if we waive them whenever they may apply? That is why I continue to believe that we need to enact a restraint on our ability to borrow money that cannot be routinely waived—a balanced budget amendment to the Constitution.

To my colleagues who think that this bill cuts spending, I would suggest that you look at the bill closely. The spending cuts in this bill are nothing more than bookkeeping gimmicks. Neither CBO nor OMB score the rescissions in this bill as reducing spending, because this money never was appropriated in the first place. Of course, the \$5.2 billion that we are spending is real money that we will add to the deficit.

There is another interesting twist to this rule. Although the defenders of the

archaic work rules imposed by the Davis-Bacon Act of 1931 were allowed to use this appropriations bill as a vehicle for legislative language, those of us who wish to make reforms of the 60-year-old act were not afforded the same opportunity. If I tried to do here on the floor what the Appropriations Committee has already done, I would have been ruled out of order. I believe that we should either have a full debate on the issue of Davis-Bacon, or no debate at all—not the one-sided debate provided for in this rule.

I urge my colleagues to vote against this rule and this bill so that we may preserve the purpose of the rules of the House by leaving this issue to the authorizing committee.

The argument made against waiving rules is a good one. We should stop it. Those of us who stood in this well and time and time again argued against a constitutional amendment for a balanced budget should not be here today saying it is OK, it is OK to waive these rules as they apply to Davis-Bacon; \$600 million we are talking about, annually. That is the amount of money that we are talking about. I do not believe we should wink and go home, as someone has said, and say we have done something about the deficit.

Mr. DREIER of California. Mr. Speaker, the gentleman from Texas [Mr. STENHOLM] has just made a very compelling case for our attempt to offer the line-item veto, too.

Mr. Speaker, I yield 2 minutes and 30 seconds to the gentleman from Texas [Mr. DELAY], our very hardworking chairman of the Republican Research Committee from Sugarland, TX.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding time to me.

I want to associate myself with the remarks of my good colleague from Texas. He is right on. And I think Members ought to really look at what is happening in this bill.

Many of us on our side of the aisle complain about the unfairness of the Committee on Rules, how it is stacked and how unfair they are and how they waive rules all the time. But this rule is even more despicable. I was under the impression, even though they have the votes over there in the majority, that at least the Committee on Rules would be the traffic cop. It may be a Democrat traffic cop, but at least a traffic cop. When things are unseemly, things that happen in subcommittee or in full committee, one would hope that they could act to correct that unseemliness.

Something unseemly has happened here. I am on the Committee on Appropriations, and I am really concerned about having to criticize my own committee. But in regard to the helper-apprenticeship provisions that are in the bill, the Davis-Bacon provisions that the gentleman from Texas was talking about, this provision was originally an

amendment put on the bill, called in full committee for markup on a travel day when Members were traveling. In fact, 20 out of the 59 members of the Committee on Appropriations were not even present when this bill was marked up. The amendment was mumbled through, a very, very important amendment was mumbled through the committee, stuck on the bill and sent to the Committee on Rules.

When the Committee on Rules was informed of this, the Committee on Rules, what did they do? They gave a waiver against points of order on legislating on an appropriations bill. We are talking about a very substantive amendment that will affect people's ability to get jobs.

The majority whip talked about this bill bringing part-time jobs and providing jobs for apprentices. That is hypocrisy. That is hypocrisy. Because on the one hand they may be trying to provide jobs by investing in America and on the other hand they take them away by not allowing helpers or part-time help or apprenticeship programs on projects that fall under Davis-Bacon.

This rule is a hypocrisy. And to add insult to injury, we only get 15 minutes to present our case on this most substantive piece of legislation, 15 minutes.

□ 1350

Mr. Speaker, I would ask Members that are listening back in their offices to listen up. No attention has been paid to this helper apprenticeship issue, no attention by the Members. It has not made it in the press. There have been no hearings. We had no hearings in the Committee on Appropriations whatsoever. It was mumbled through in a very quick fashion on the Committee on Appropriations. Members are not paying attention to this, and we are going to debate it for 15 minutes for and 15 minutes against, and then we are going to vote on it. Members are not going to know what they are voting on. They are going to be walking through that door and they are going to have their leadership saying, "Vote no." They had better pay attention, because this affects people's jobs.

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

Mr. Speaker, let me, if I may, talk about his helper program so Members understand basically what they will be asked to do again, and I repeat the word "again," because the Congress has already twice acted to prohibit implementation of these regulations.; We have acted twice. I want to explain just exactly what is at stake here.

The Department of Labor has issued regulations which would establish a special category of Davis-Bacon workers called helpers, a category which would pay subprevailing wages for Davis-Bacon work. These helpers would be paid less than regular Davis-Bacon

workers, and they would not get the training or the benefits of apprenticeships.

Basically what we are talking about here are women and minorities being stuck in helper programs where the wages are less. Congress, as I have indicated, has acted twice in recent years in prohibiting the administration from going forward with these regulations. In both cases Congress intended this prohibition to be permanent, permanent, but the courts, however, have determined that the exact wording of the prohibition does not make it permanent. According to the courts, the prohibition has not technically expired and the Labor Department is already beginning to implement these regulations.

This supplemental merely states that the prohibition is permanent, using the word that was suggested by the courts. We have done this twice already. We think it is important that people have an opportunity to move up the ladder, to have the American dream at their disposal, and not be stuck at some bottom helper category which does not give them a decent wage to take care of their families, that does not allow minorities and women in this country a chance to rise through the system. That is what these prohibitions have been against over the last couple of years.

What we are asking the membership to do is to support the advancement of people in their own self-responsibility to take care of their families, to have a future for themselves and their families, not to be stuck in helper situations for the rest of their work lives.

This is a good amendment. It is one which was put on, as the Members indicated, in the Committee on Appropriations, was protected in the Committee on Rules, and which will be available to be struck, I assume, by the gentleman from Texas [Mr. DELAY] when the bill is brought to the full House.

Mr. Speaker, we have done nothing here that is irregular. We have provided the opportunity to strike it if the membership wants. All we are doing is suggesting that if the members want to protect people who are starting out in the work force so they have a chance for advancement, to pull themselves up by their bootstraps, to make a living wage for their families, to have some future, then the Members will prohibit these regulations that will keep people stagnant, from reaching levels in which they will be able to participate fully in the American dream.

Mr. DELAY. Mr. Speaker, will the gentleman yield for clarification?

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I am sure the gentleman does not want to mislead the House. The two times that the gen-

tleman talks about the House acting, were not those two times for 1-year provisions, 1 year on the helper provisions? What we are doing here is permanent in law.

Mr. BONIOR. They were according to the courts, but the impression that was given to the House and to the Senate and to the Congress as a whole was that these provisions will be permanent, and the courts interpreted the language that it was not permanent. We are coming back and trying to make it permanent.

Mr. DELAY. If the gentleman will continue to yield, that was our vote.

Mr. BONIOR. If the debate is whether we want to make it permanent or not, that is a legitimate debate. I accept that debate with the gentleman from Texas [Mr. DELAY]. But to suggest that we have not done it or do not mean to do it in a permanent fashion I think is erroneous.

Mr. DREIER of California. Mr. Speaker, let me first thank my friend from the Republican Study Committee, who chairs it, as opposed to the Research Committee, the gentleman from Texas [Mr. DELAY], for his helpful contribution.

I would say that I find it fascinating that my friend, the gentleman from Michigan [Mr. BONIOR] said this is not out of the ordinary. It seems to me that if we talk to virtually any member of the Committee on Appropriations we would know this is legislating on an appropriations bill. It is clearly counter to what many members of the Committee on Appropriations would like.

Mr. Speaker, I yield 2 minutes to the very distinguished former mayor of Tulsa, the gentleman from OK, Mr. INHOFE.

Mr. INHOFE. Mr. Speaker, I rise today in support of the Stenholm amendment to strike the language regarding the Davis-Bacon Act in this supplemental appropriation bill. I do so for a number of reasons. Most importantly, I believe we should have a full debate on the issue of Davis-Bacon Act reform that is not limited to the context of an appropriations bill.

I have been a long-time supporter of reform in the Davis-Bacon Act. There have been dramatic changes to our economic environment over the last 60 years since Davis-Bacon was enacted without equivalent reforms in the law itself. The original intent of the act during the depression years of the 1930's was to stop contractors that were hiring cheap labor and undercutting local firms on Federal public work projects. Today, instead of preserving jobs for local contractors, the act makes it more likely that nonlocal firms will work on public projects.

For example, employers on Davis-Bacon contracts must submit certified payroll records to the Department of Labor on a weekly basis. Small firms

must hire additional clerical personnel to handle this flood of paperwork. This discourages them from bidding on Federal contracts.

Because small businesses are discouraged from even bidding on Federal work, the result has been a loss of competition in the construction industry. This only serves to increase the cost of construction to the Federal Government. This is important, because small firms with nine or fewer people make up about 80 percent of all construction industry employers.

Over the last half century, a more flexible workplace has evolved in our country. Davis-Bacon has been left behind in this movement. Under the act, labor is distributed inefficiently. An unskilled worker must be classified as a journeyman carpenter one day and a journeyman plumber the next. As a result, semiskilled workers are denied entry-level jobs—jobs which workers in transition sorely need. These helpers could save the Government \$600 million a year.

The Congressional Budget Office estimates that Davis-Bacon increases total Federal construction costs by 3.3 percent.

I have a personal stake in this at the local level. In 1978, I was elected mayor of the city of Tulsa, a position I held for three terms. Tulsa is a city of about half a million people. At the time I was elected we had not funded our capital improvements program for about a decade. When I took office, I had to correct this problem. We started out with a 1-cent sales tax increase for capital improvements.

As a conservative, it was difficult to sell this idea to the people for a positive vote. Our first effort failed and we came right back with a second effort. It was successful. The 1-cent sales tax increase produced \$123 million for capital improvements over 5 years. Even though it was successful, our capital needs had been neglected so long we had to pursue a second effort. This time we did a bond issue. The bonds had to be retired by property taxes. At that time, Oklahoma was beginning to sink into a recession.

We were installing our capital improvements program in compliance with a little Davis-Bacon Act supervised by the State of Oklahoma. We calculated the cost to the public of the little Davis-Bacon Act. Our studies showed that we could have produced 17 percent more in capital improvements which would have amounted to—6 miles of streets or 34 miles of water/sewer lines. In terms of jobs, and we had an unemployed labor force more than willing to work for non-Davis-Bacon rates, we could have employed 500 more people during that period of time.

What I am saying, Mr. Speaker, is everybody was a loser as a result of our little Davis-Bacon Act. The public got

fewer streets, water lines and sewer lines and the unemployment lines grew.

On a national level, the construction industry has lost nearly 600,000 employees. With the national unemployment rate at 7.8 percent and the unemployment rate at 5.7 percent in my State of Oklahoma, I believe there is a definite need to reform Davis-Bacon so that more local contractors can be employed.

As you may recall, during the Dire Emergency Supplemental of 1991, we discussed the need for Davis-Bacon reform and we have yet to see action taken.

Mr. Speaker, I urge that we work to bring about real, meaningful reform in the Davis-Bacon Act.

The SPEAKER pro tempore. The time of the gentleman has expired. The question rises on the adoption of the resolution.

Mr. DREIER of California. Does the gentleman from Michigan [Mr. BONIOR] have further requests for time?

Mr. BONIOR. Mr. Speaker, I do not, except for a clarification I wish to speak on just briefly. Other than that, we have no other speakers.

Mr. DREIER of California. We have several requests for time. I would appreciate recognizing them, Mr. Speaker, before we have the vote, so several of our colleagues might have a chance to be recognized.

The SPEAKER pro tempore. The Chair has the impression that nobody is seeking recognition. The main question before the House is, indeed, the adoption of the resolution.

Mr. DREIER of California. The previous question should be adopted.

The SPEAKER pro tempore. If some Member offers that motion.

Mr. DREIER of California. Mr. Speaker, as I recall, I have 30 minutes of debate on this side. Then when I am completed, I will yield back the balance of my time.

The SPEAKER pro tempore. That is correct.

Mr. DREIER of California. I reserve the balance of my time. At this point I would like to yield 2 minutes—

The SPEAKER pro tempore. The Chair does not want to make anybody nervous. The Chair would say, simply, that if nobody is seeking recognition and there is a quiet time, the Chair will again state that "the question before the House is."

The gentleman from California is recognized.

Mr. DREIER of California. I just wanted the Speaker to know that I have several additional requests for time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California.

Mr. DREIER of California. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. DUNCAN],

the original author, who on January 3, 1991 introduced H.R. 78, the line-item veto.

Mr. DUNCAN. Mr. Speaker, yesterday the Wall Street Journal had a lengthy front page story about what was described as our "national mood of pessimism." Most of this fear and concern has been brought about because of problems with our economy. Americans are afraid today. They know that we have a national debt of \$4 trillion. They know also that, even worse, we are losing \$1 billion a day on top of this horrendous debt right now; every day, Saturdays, Sundays, holidays included. They know that this staggering debt, and unbelievable losses, are like chains around the neck of our economy, and they know that we are going to crash economically if we do not soon, and I mean very soon, bring Federal spending under control and in line with Federal revenues.

□ 1400

This is why I rise today in support of the efforts by the gentleman from New York [Mr. SOLOMON] to give the Presidential line-item veto authority on this bill. All of the polls show that the American people overwhelmingly support a line-item veto law. The Governors of 43 of our States have this power, and even with all their financial problems you cannot find a single State in this country in as bad a financial shape or as bad a fiscal shape as is the Federal Government.

The financial problems the States do have are primarily because of Federal mandates, things we have required them to do but have not given them the money to do it with. The President needs the line-item veto power if we are ever going to have any hope to bring our budget into balance.

I urge strong support for the gentleman from New York [Mr. SOLOMON] in his heroic efforts to save the taxpayers dollars in this way. As the gentleman from California [Mr. DREIER] mentioned, on the first day of this Congress I introduced the Line-Item Veto Act, and I am proud to say that we have almost half of the membership of this body cosponsoring this legislation now, including a large number of Members from the other side of the aisle.

Mr. DREIER of California. Mr. Speaker, I thank my friend for his valuable contribution, and would once again like to underscore the overwhelming support that has come from private organizations in support of this key vote, that being the previous question to allow an amendment on the line-item veto.

The National Association of Manufacturers, the National Taxpayers' Union, Americans for a Balanced Budget, Citizens for a Sound Economy, Americans for Tax Reform, the United States Business and Industrial Council, and Citizens Against Government

Waste, have all sent us a letter urging a vote against the previous question so that we can bring up the line-item veto.

Mr. Speaker, I include these letters in the RECORD at this point.

NATIONAL ASSOCIATION  
OF MANUFACTURERS,  
Washington, DC, July 27, 1992.

Hon. Gerald B. Solomon,  
House of Representatives,  
Washington, DC.

Attn: Don Wolfensberger.

DEAR MR. SOLOMON: The National Association of Manufacturers believes that reduction of the federal deficit should be one of the nation's top priorities. To that end, the NAM has consistently supported the line item veto as an effective tool for eliminating nonessential spending and restoring fiscal accountability to the current budget process.

We support your current efforts to allow consideration of line item veto rescission authority as part of the rule accompanying the supplemental appropriations bill (H.R. 5620). While the short notice of this vote does not allow us to send a letter to the full house, please feel free to use this endorsement in any way which is helpful.

If I can answer any questions or provide further information, please don't hesitate to contact me.

Sincerely,

PATRICIA D. LONG.

NATIONAL TAXPAYERS UNION,  
Washington, DC, July 28, 1992.

Hon. GERALD B.H. SOLOMON,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE SOLOMON: The 200,000 member National Taxpayers Union supports your effort to make in order and offer a line item veto amendment to the supplemental appropriations bill.

Perhaps no one put it better than Democratic Presidential Bill Clinton during the primary season, when he said, "I strongly support the line item veto because I think it's one of the most powerful weapons we could use in our fight against out of control deficit spending."

The all too common Congressional tactic is to attach parochial, pork barrel appropriations to must-pass legislation that the President has little choice but to sign. Since most of these provisions are neither the subject of debate nor vote, many Members of Congress do not realize they exist. Your amendment would allow the President, Republican or Democrat, to draw attention to pork barrel provisions and force their proponents to justify them. Meritorious provisions would stand under Congressional scrutiny, and the rest would be eliminated.

Additionally, the line item veto would make the President more accountable on the issue of wasteful spending. Many Presidents repeatedly criticize Congress on spending. By giving line item veto authority to the President, Congress would be inviting him to work actively rather than rhetorically to trim wasteful spending.

Although the discretionary account of the federal budget is by no means the largest, it is an area of tremendous waste, causing cynicism among taxpayers who see the dollars they send to Washington squandered on blueberry research or bike paths. Our national debt is now over \$3.8 trillion, and recent projections for the FY92 deficit are \$333.5 billion. Clearly Congress needs to re-evaluate its spending practices and take strong steps

to restore fiscal discipline. The line item veto is one of those steps, and would be an important sign to taxpayers and voters nationwide that Congress is finally taking our fiscal crisis seriously.

Again, thank you for your efforts. We strongly urge all Members to help you defeat the previous question, and make your amendment in order.

Sincerely,

JAMES D. DAVIDSON,  
Chairman.

AMERICANS FOR A BALANCED BUDGET,  
Falls Church, VA, July 27, 1992.

DEAR REPRESENTATIVE: On Tuesday, July 28th, the House will take up the rule on the supplemental appropriations bill (H.R. 5620). We are asking you to vote to defeat the previous question on the rule so that it can be amended to permit consideration of the Solomon line-item veto rescission authority amendment.

This vote will be scored by ABB as a key vote. Support for the previous question will be considered a vote in opposition to the line-item veto rescission authority. The argument that this is merely a procedural vote simply does not hold water.

While there is no question that the line item veto will not balance the federal budget by itself, there is also no question that a Congress which lacks the will to support a line item veto lacks the will to do those things which are needed in order to give taxpayers a balanced budget.

If we can be of assistance to you, please feel free to contact us at (703) 241-0401.

Sincerely,

COLIN L. CHAPMAN,  
Executive Director.

JULY 27, 1992.

DEAR REPRESENTATIVE: On behalf of the 250,000 members of Citizens for a Sound Economy (CSE), I urge you to vote against the previous question on the rule for H.R. 5620, the Supplemental Appropriations bill. Defeat of the previous question will allow the line-item veto to be added to the rule.

CSE will count the previous question vote as a key line-item veto vote to be reported to our members in your district. This key vote will be used to determine your eligibility for our Jefferson Award, to be presented at the conclusion of this Congress.

Sincerely yours,

PAUL BECKNER,  
President.

AMERICANS FOR TAX REFORM,  
Washington, DC, July 27, 1992.

Hon. GERALD B. SOLOMON,  
House of Representatives, Washington, DC.

DEAR MR. SOLOMON: I write in support of the effort undertaken by you and your colleagues to allow for a vote on the Presidential line-item veto authority on Tuesday, July 28, 1992.

For far too long, the tax and spend interests have stopped all efforts to clarify the President's authority to exercise the line-item veto. A President with line-item veto power would be very dangerous to their tax and spend, spend and tax habits.

I strongly urge your colleagues to join with you and vote "no" on the previous question to allow for amendments to the rule on H.R. 5620, the Supplemental Appropriations bill.

Sincerely,

GROVER NORQUIST,  
President.

BUSINESS AND INDUSTRIAL COUNCIL,  
Washington, DC, July 27, 1992.

Hon. GERALD B. SOLOMON,  
House of Representatives, Washington, DC.  
DEAR CONGRESSMAN SOLOMON: On behalf of the 1500 member CEOs of the United States Business and Industrial Council, I would like to strongly endorse your effort to defeat the previous question on the rule on the FY 1992 Supplemental Appropriation, which will permit consideration of a Line Item Veto.

We have long supported the Line Item Veto and we consider this upcoming vote to be the definitive vote on Line Item Veto in the House of Representatives in the 102nd Congress.

We urge your colleagues to support your effort to secure a vote on Line Item Veto, and praise your effort to bring this about.

Sincerely yours,

JOHN P. CREGAN,  
President.

CITIZENS AGAINST GOVERNMENT WASTE,  
Washington, DC, July 28, 1992.

DEAR MEMBER OF CONGRESS, today, the House of Representatives will begin consideration of H.R. 5620, the supplemental appropriation bill. During debate on the rule for the bill, Congressman Gerry Solomon (R-NY) intends to amend the rule to make in order a line-item veto rescission authority amendment for fiscal year (FY) 1993 appropriation bills.

In order to accomplish this, the previous question must be defeated. We urge you to vote down the previous question so that this important waste-cutting amendment can be offered.

The Solomon amendment proposes that the President submit a rescission message for any FY 1993 appropriation bill within 20 days of its enactment. Congress would then have a 20-day review period in which to disapprove the rescission message by enacting a joint resolution. Following Congress' 20 days, the President would then have 10 days in which to sign or veto the disapproval resolution. If Congress vetoes the resolution, they would then have an additional five days in which to override the veto.

According to a January, 1992 General Accounting Office report, if the President had had line item veto authority from FY 1984 through FY 1989, the cumulative six year savings would have been \$70 billion.

It is important to give the President the line item veto this year when taxpayers are frustrated and angry about government waste. The 500,000 members of the Council for Citizens Against Government Waste (CCAGW) urge you to vote NO on the previous question of the rule for the supplemental appropriation bill. This is not just a procedural vote. It is a vote for the line-item veto.

CCAGW will consider this vote in calculating our 1992 Congressional Ratings to be released this fall.

Sincerely,

THOMAS A. SCHATZ,  
Acting President.

Mr. Speaker, I yield 3 minutes to the gentleman from Naperville, the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Speaker, I rise in opposition to this rule to the supplemental appropriations bill.

I oppose this rule because its sponsors are claiming their bill saves \$10.4 billion when it will actually add \$7.2 billion to our Nation's deficits and do no saving!

Here is how the bill's sponsors claim this bill saves \$10.4 billion. First, they rescind \$12.7 billion that was never actually appropriated for Desert Storm. Then they spend \$5.2 billion for Desert Storm related items, even though the administration requested only a half billion dollars. But they don't count any of this \$5.2 billion as spending because it is off-budget as far as the budget agreement is concerned. They spend another \$2.3 billion for all sorts of defense and nondefense items which they do count as spending but they offset these expenditures with a purported \$12.7 billion rescission. This leaves \$10.4 billion in savings.

But the savings in this bill area is a hoax. The savings come from \$12.7 billion rescinded from an account that was set up for Operation Desert Storm in 1991. The account, the Persian Gulf regional defense fund, was intended to be a contingency fund to provide resources for Desert Storm in the event that foreign contributions were not sufficient to cover the cost of the war.

The fund was not scored as outlays by OMB or CBO because the money was not actually appropriated or scored by OMB or CBO. It was not appropriated because foreign contributions covered almost all of the costs of the war. Thus, all of the CBO, OMB, House Budget committee deficit projections have assumed that these expenditures will never be made.

Only Congress could say they are saving money by not spending money that was never going to be spent in the first place. We cannot rescind money that was never actually appropriated and scored. But that is precisely what we are asked to believe here.

When I hear that this bill saves \$10.4 billion, I am reminded of the husband who said:

Honey, I saved \$10,000 today; you know that \$50,000 Mercedes we decided we don't need? I bought a \$40,000 BMW instead.

These savings don't count with the family budget and shouldn't count with the Federal budget either.

SUPPLEMENTAL WILL INCREASE DEFICITS \$7.2  
BILLION

While the bill's sponsors say this bill spends \$2.3 billion, the truth is it spends over \$7 billion. And, every dime of these expenditures will increase deficits by a like amount. According to OMB, this bill will increase the Federal deficit by \$3.8 billion in fiscal year 1992, \$2 billion in fiscal year 1993, and \$1.4 billion in 1994. There are no offsets in this bill to keep the deficit from increasing by \$7.2 billion.

The bill's sponsors will argue that this spending does not violate the budget amendment caps. That is correct. But my purpose is to point out that the claimed savings of over \$10 billion is totally false, and, caps or no caps, we are adding \$7.2 billion to deficits. These are the simple facts that the Members of this body should under-

stand before voting on this rule or on the bill.

The people of this country at least deserve an honest presentation in regard to what the deficit shall be.

Mr. DREIER of California. Mr. Speaker, I thank one of our lead porkbusters for that very eloquent argument.

Mr. Speaker, I am happy to yield 3 minutes to the gentleman from East Petersburg, the gentleman from Pennsylvania [Mr. WALKER].

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

Mr. Speaker, just listening to this debate it becomes perhaps clear why Bill Clinton is trying so hard to distance himself from the Democrats in the Congress. Bill Clinton told Orange County Republicans in California, or Orange County conservatives just this past weekend that he is for the line-item veto. It is very clear that the Democrats in the Congress do not in any way want the line-item veto to come to the floor for anything that comes anywhere close to being a vote because they are afraid that it might actually win, and the President might actually get authority to begin saving money.

Second, Bill Clinton comes from Arkansas, a right-to-work State, and it is very clear that the Democrats in the Congress are doing everything they can, including running all over the rules, in order to see to it that right-to-work does not even have a chance of surviving in the U.S. Congress. No wonder Bill Clinton does not want anything to do with these guys. I mean, they are absolutely on a different track than where Bill Clinton is politically and governmentally.

But the point I think we need to raise here is why Members should vote to defeat the previous question and put line-item veto onto this floor for a vote. I was amused, I must say, when the gentleman from Michigan argued that even if we defeated the previous question and the line-item veto were offered, that they would rule that out on a point of order, this coming from the same people who then put a Davis-Bacon provision in the bill despite the fact that it is also subject to a point of order. Now of course we are not going to have that point of order because the rule waives that.

Now the gentleman from Michigan tells us there is nothing irregular about this. Of course there is not. There is nothing ever irregular when the Democrats are trying to do something they want to do. What they want to do here is they want to put a piece of legislation on the floor to permanently change the Davis-Bacon Act and use the supplemental appropriation bill to do it. That is what they want to do.

What they do not want to do is have anything that resembles a vote on line-

item veto, and so they are going to argue that you can vote any way you want on the previous question and it does not make any difference. Well it does make a difference to several groups who are focusing on line-item veto and who are going to raise the issue this fall. The National Association of Manufacturers, the National Taxpayers' Union, Americans for a Balanced Budget, Citizens for a Sound Economy, Citizens Against Government Waste, all of these major groups have decided that this vote coming up is the vote on line-item veto, and so do not be telling your constituents that you are for line-item veto if you cannot stand with us on the vote that all of those groups consider as the fundamental vote on line-item veto. This bill be the test right here coming up.

We have had a couple of votes before and Members have said that they were not warned about it, they did not know about it, they did not know the details. Now you know. This is the second time we have voted on the Solomon language. It is now familiar to everybody. It is now familiar to groups across the country who are focusing on this issue.

The vote we will have in just a moment on the previous question will be a vote on whether you are for line-item veto or against it. If you believe that line-item veto should be debated in the Congress and should be passed by the Congress, vote no on the previous question. It is the only vote to signal that line-item veto is important to you.

Mr. DREIER of California. Mr. Speaker, my friend is absolutely right when he says that Bill Clinton does not want to have anything to do with these guys on the other side of the aisle. But we remember very well that George McGovern is the one who said that this ticket is a Trojan horse, and in fact they are much more liberal than they are inclined.

If by some strange happenstance Bill Clinton were to be elected President, I suspect that he would be marching in lockstep with the majority leadership here.

Mr. Speaker, I am happy to yield 2 minutes to my friend, the gentleman from Indianapolis, the gentleman from Indiana [Mr. BURTON].

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

Mr. Speaker, earlier today we had the Labor-HHS bill up here, and my good friend from Kentucky, formerly of Tennessee, my good friend from Kentucky, Mr. NATCHER, stood up and read off a litany of things that were going to be cut by my amendment, and he said in effect that these were heartless cuts that we were cutting in these programs. The fact of the matter is I was only trying to reduce the increase, reduce the increase of \$1.6 billion by one-third so we still had a \$1.2 billion increase in there.

□ 1410

So I was not quite as heartless as I was being made out. I just wanted to reduce the increase by one-third.

The fact of the matter is we increased spending in the Labor-HHS bill including entitlements by \$24 billion, that is \$24,000 million. Now we are going to, on this continuing resolution or supplemental, increase spending by \$7.2 billion, and that is \$7,200 million more.

Where does it end? You know, Bill Clinton, or I guess maybe GORE said, AL GORE said, "You just do not get it," when he was talking to the President. Well, I am saying to my Democrat big-spending friends, "You just do not get it." We are heading toward a \$13.5 trillion national debt where interest on the debt is going to be more than the taxes coming into this country, and yet you continue to come up with these big-spending bills, \$24 billion more on Labor-HHS, \$7.2 billion more on this.

Where is it going to end? When are we going to get control of spending? When we have hyperinflation, when they start printing all this money?

You laugh over there. The fact of the matter is it is going to happen if we do not control our appetite for spending.

So I would just like to say to my colleagues we did not deal with the problem earlier today, and we are not going to deal with it now. The American people ought to know where the responsibility lies.

We have got to control of spending. Otherwise, we are going to have a terrible, terrible problem in just a few short years.

Mr. BONIOR. Mr. Speaker, I yield 1 minute to the distinguished chairman, the gentleman from Kentucky [Mr. NATCHER].

Mr. NATCHER. Mr. Speaker, the gentleman who just addressed the House is my friend. The gentleman from Indiana [Mr. BURTON], Mr. Speaker, is one of the good Members of the House.

He spoke about the Labor-HHS-Education appropriation bill just now. That is one of the best bills that has passed the House this year.

Mr. Speaker, as you well know, as one of the able members of our subcommittee, you have heard me say a thousand times when you take care of the health of your people and educate your children you can tell you are living in the strongest country in the world.

The gentleman who just left the well, one of the good Members of the House, down deep in his heart, Mr. Speaker, wanted to vote against his own amendment, and I say that to you frankly, Mr. Speaker.

This rule should be adopted, and on the previous question we should vote "aye."

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

Mr. Speaker, let me echo the comments by the gentleman from Kentucky.

This debate has gotten off the beaten track on a number of occasions. The debate on Davis-Bacon is really no debate at all. What we are doing is codifying permanently into law what we have done on two other occasions.

The question with respect to the issue of the line-item veto really does not belong in this debate. Even if the previous question were voted down, as I have indicated, or amended, the rule was amended, it would not be germane.

Let us get back to debate the point of this bill. The bill is about burden sharing. The bill is about the need to meet our obligations with respect to unemployment benefits, veterans' benefits, and environmental cleanup. That is basically the heart of this bill, and I hope this diversion in terms of the line-item veto or Davis-Bacon is not successful.

I hope my colleagues will stay with the distinguished gentleman from Kentucky [Mr. NATCHER], will stay with me, will stay with the gentleman from Massachusetts [Mr. MOAKLEY], will stay with the chairman, the gentleman from Michigan [Mr. FORD], and the chairman, the gentleman from Missouri [Mr. CLAY], and others who are vitally interested in this important piece of legislation so we can bring to the people of this country the needed benefits in environmental cleanup, we can make sure our unemployment program is administered properly as well as our veterans' program is administered properly.

This is a well-balanced, fiscally balanced bill. It deals specifically with the burden-sharing provisions that we all are familiar with, the fact that we have been able to get our allies overseas to pay for the war.

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

I rise to say to my very good friend, the gentleman from Michigan, that I am very concerned about referring to a provision which will help us to create jobs and opportunity for Americans as a diversion. I am also very concerned to hear him indicate that the line-item veto, which is something that is very strongly supported throughout this country and by many Members on both sides of the aisle in this House, is a diversion.

We are going to have a chance right now to actually put into place the opportunity for the gentleman from New York [Mr. SOLOMON] to offer the line-item-veto amendment. The way we do that, Mr. Speaker, is to vote "no" on the previous question. I urge my colleagues to vote "no" so that we can finally have this chance. You do not have to be a proponent of the line-item veto to oppose the previous question. All you have to be a proponent of is the right of the gentleman from New York to offer that amendment.

So I urge a "no" vote on the previous question.

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

Mr. BONIOR. Mr. Speaker, I yield 2 minutes to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Speaker, we are once again discussing the issue of line-item vetoes.

I just think it is important for those of us who think that we may have a pretty good solution to the problem to say again what that solution could be, should be. A number of us, the gentleman from South Dakota [Mr. JOHNSON], the gentleman from Texas [Mr. ARMEY], the gentleman from Kansas [Mr. GLICKMAN], the gentlewoman from South Carolina [Mrs. PATTERSON], the gentleman from Texas [Mr. STENHOLM] have worked for a couple of years to try to perfect some changes to the 1974 Budget Act.

As you may recall, when the President signs an appropriations bill under the 1974 Budget Act, the President has a period of time in which to send a rescission message to the Congress. A clock begins to run once he sends that message to us. It is a 45-day clock. At the end of the 45 days if we have not voted affirmatively to accept the rescission, they go away.

What a number of us believe is a better alternative to that is to change the Budget Act, to say that when the President signs an appropriations bill, he may, indeed, send a rescission to us, that we have 10 days during which or after which we must vote, within which we must vote, on rescission. We can vote it down with a simple majority, but we would have to vote on it. If we pass it in the House, it goes to the Senate, and they have got 10 days to vote it up or down. They can vote it down with a simple majority, but they have to vote on it.

Our legislation provides, and it is H.R. 2164, our legislation would change the Budget Act statutorily, and we would try it on for size for 2 years, and I call it a 2-year test drive, but it really is a statutory line-item-veto power. It is a good idea. It is one that I would hope those of you who are looking for something to support would consider supporting if you cannot support what is being offered here today.

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

Mr. CARPER. I am happy to yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would just like to say that I commend the gentleman, because I know he has led a strong fight in this direction. Certainly I think the people from the State of Delaware ought to appreciate that.

But let me just say this: If we were to defeat the previous question today, even if we did come back with a vote on the line-item veto as I want to do, at least we would send a strong message to the leadership on both sides of the aisle. I would be more than happy

to support the position of the gentleman from Texas [Mr. STENHOLM] and the gentleman from Delaware [Mr. CARPER].

Perhaps we can even do that. If we do not defeat this previous question, however, we will never have our day in court. I think the gentleman understands.

Mr. BONIOR. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I think the gentleman from Delaware clearly defines the problem here with respect to enhanced rescission or to the question of line-item veto. It needs to be looked at carefully.

This is not the vehicle to do it on. There will be hearings coming up to deal with the questions on the issue that was raised by the gentleman from Delaware.

It seems to me this is not the reason why we ought to move beyond this issue and deal with the questions of providing veterans' benefits for those who served our country, served in the gulf war, environmental cleanup to make our country more inhabitable and livable, as well as dealing with the important question of unemployment compensation for those who are out of work.

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

Mrs. LOWEY of New York. Mr. Chairman, I rise to express my support for this bill and to commend the chairman, Mr. NATCHER, for the excellent legislation that he has crafted under very trying circumstances.

Mr. Chairman, the cold war is history, but many relics of that era remain. One of those relics is the 1990 budget agreement, which forbids us from shifting available defense savings into urgent domestic needs.

It is that constraint which we face today. We know full well that defense spending can be cut by large amounts without compromising our Nation's security. And we know full well that the families of America desperately need assistance in order to make ends meet during the current recession. Yet we are stymied by an anachronistic budget agreement that has actually forced cuts in essential education and health care programs.

The chairman, Mr. NATCHER, has done an admirable job of setting priorities in light of the very difficult constraints that he faced this year. I support the bill that he has developed. But I also look forward eagerly to the time when the budget agreement, like the cold war, is history, and I can join with Chairman NATCHER and many others on this floor in bringing fundamental change to our budget priorities by fully serving the urgent needs of our families across the Nation.

I would like to comment in particular on one very important aspect of this legislation—that of student aid for

our Nation's young people. Last week, the President signed into law the Higher Education Act Amendments of 1992, major legislation to expand student aid for the families of America.

We all recognize that there is a direct link between a highly trained work force and restored economic growth and competitiveness in this Nation. The new higher education law represents one of the most important steps this Congress has taken this year toward revitalizing our economy.

Unfortunately, the amendments were not yet enacted when this bill was marked up in committee. Therefore, some of the new provisions contained in the higher education law have not been funded in the pending appropriations measure. It is my fervent hope that the final conference report will provide funding for many of these provisions in fiscal year 1993.

In particular, I would like to mention one program of urgent importance to our Nation's postsecondary students and to our taxpayers. As Chairman NATCHER has pointed out in the past, student loan default costs have risen to unacceptable levels. In fact, they now account for more than 50 percent of all guaranteed student loan program costs.

Therefore, as a member of the Education and Labor Committee, I worked hard during the reauthorization of the Higher Education Act to enact key program integrity provisions designed to reduce student loan defaults. Fortunately, together with Mr. GOODLING of Pennsylvania, we succeeded in obtaining final approval of provisions which will significantly expand State oversight of institutions of higher education. This oversight will help us keep substandard schools out of the program and control default costs.

The Bush administration, recognizing the importance of these provisions, has requested that \$50 million be devoted to these program integrity activities this year. And Chairman NATCHER, also recognizing the importance of these provisions, indicated in the report to accompany H.R. 5677 that he is inclined to ensure funding for this purpose as soon as the new activities were authorized.

I am extremely pleased that Chairman NATCHER provided me with an additional assurance today that he will, in fact, be inclined to provide funding for this purpose in the conference report on Labor-HHS-Education funding. I would like to express my sincere appreciation to the chairman for his insight into the importance of strong measures to expand State oversight of postsecondary institutions, which will not only save the taxpayers large sums of money, but will also prevent many of our students from being defrauded by substandard schools that are interested only in profits, not in a quality education for our students.

Mr. Chairman, I once again want to commend Chairman NATCHER for the extraordinary job he has done over the years in improving health care, protecting worker health and safety, and training our young people to be productive members of society. We all owe him a debt of gratitude, and we know that he shares our distaste for the continued imposition of budget rules that do nothing but harm American families around this Nation. I am committed to working with him this year and in the future to make our tax dollars work harder for the people of our Nation, not to defend our Nation against a vanished threat.

Mr. MFUME. Mr. Chairman, I rise in support of H.R. 5677, the Labor, Health and Human Services, Education appropriations bill for fiscal year 1993.

However Mr. Chairman, my support comes with great reservation about the bill—specifically the provision reducing the amount of funding for the Healthy Start infant mortality initiative.

The final committee approved funding amount is \$61 million for Healthy Start. This represents a reduction of \$614,000 from last years funding level. While a 1-percent reduction may appear small, the Healthy Start initiative can ill afford significant reductions in the future. In fact I would argue that an increase is needed above anything else.

The Healthy Start Program is most utilized in urban and rural areas where child mortality rates rival the rates of some developing nations. Poor women in both urban and rural communities experience similar problems regarding prenatal care and health care delivery services. As a result, low birth weight, nutritional problems and infant mortality are concerns that many poor families must tragically confront, as does our Nation.

In my district of Baltimore—which participates in the Healthy Start grant program—advances that we have made in reducing infant mortality are in jeopardy. Baltimore will have to stretch an already expanded budget to accommodate for the loss in funding.

Mr. Chairman, I do realize that the Labor/HHS appropriations bill has many other provisions which help America and my State. Nonetheless, I could not add my support for this legislation during final passage without establishing my concerns regarding Healthy Start.

In closing, it is my hope that in the future we can locate funding sources or strategies to fully fund this grant program in order to protect poor women and families.

Ms. PELOSI. Mr. Chairman, I rise to commend Chairman NATCHER and the members of the Labor-HHS Subcommittee for their hard work on this important appropriations bill. The committee has many of the highest pri-

ority programs for our Nation under its jurisdiction—particularly health and education, which are so critical to our Nation's future.

Unfortunately, the committee has been forced to operate under merciless spending caps imposed by the Budget Enforcement Act. I share the committee's regret that they were not able to fund many vital programs at much higher levels. This is particularly true for the basic biomedical and behavioral research efforts at the National Institutes of Health [NIH], which hold so much promise for a healthy American future.

I am particularly concerned about inadequate funding of the AIDS Program at NIH. This bill would for the second year in a row increase AIDS spending less than the rate of scientific inflation, thus in effect reducing our current commitment to effective treatments, a vaccine, and ultimately, a cure for AIDS. Literally, over one hundred new opportunities and expansions of existing programs recommended by our top scientists will not be funded this year. We must find a way to do more.

Again, I commend Chairman NATCHER and the subcommittee on their work. I look forward to working with them to find ways of being even more responsive to the many challenges posed by this bill.

The SPEAKER pro tempore (Mr. HOYER). The question is on ordering the previous question.

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

Mr. SOLOMON. Mr. Speaker—  
The SPEAKER pro tempore. The Chair apologizes.

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.

#### PARLIAMENTARY INQUIRY

Mr. BURTON of Indiana. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BURTON of Indiana. Mr. Speaker, my inquiry is: Is it proper for the Speaker to make a determination on the yeas and nays until he has heard the nays?

The SPEAKER pro tempore. The Chair made a mistake. The Chair apologizes. The Chair thought he had asked for the nays. He did not. The Parliamentarian informed me of that, as did the gentleman from New York [Mr. SOLOMON].

Mr. BURTON of Indiana. Kind of jumped the gun.

Mr. SOLOMON. We accept the apology.

Mr. DREIER of California. We urge a "no" vote on the previous question.

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 207, nays 199, not voting 28, as follows:

[Roll No. 323]

YEAS—207

Abercrombie	Hefner	Pallone
Ackerman	Hertel	Panetta
Alexander	Hoagland	Pastor
Andrews (ME)	Hochbrueckner	Patterson
Andrews (NJ)	Horn	Payne (VA)
Annunzio	Hoyer	Pease
Anthony	Hughes	Peterson (FL)
Applegate	Hutto	Peterson (MN)
Aspin	Jefferson	Pickett
Atkins	Jenkins	Pickle
AuCoin	Johnson (SD)	Price
Bellenson	Johnston	Rahall
Berman	Jones (GA)	Rangel
Bevill	Jones (NC)	Reed
Blackwell	Jontz	Richardson
Bonior	Kanjorski	Roe
Borski	Kennedy	Roemer
Boucher	Kennelly	Rose
Brewster	Kildee	Rostenkowski
Brooks	Klecza	Roybal
Bruce	Kolter	Sabo
Bryant	Kopetski	Sanders
Bustamante	Kostmayer	Sangmeister
Byron	LaFalce	Sarpalus
Cardin	Lancaster	Savage
Carr	LaRocco	Sawyer
Chapman	Laughlin	Scheuer
Clay	Lehman (CA)	Schroeder
Coleman (TX)	Lehman (FL)	Schumer
Collins (IL)	Levin (MI)	Serrano
Collins (MI)	Lewis (GA)	Sharp
Cooper	Lipinski	Sikorski
Costello	Lloyd	Sisisky
Cox (IL)	Long	Skaggs
Coyne	Lowe (NY)	Skelton
Darden	Manton	Slattery
de la Garza	Markey	Slaughter
DeFazio	Martinez	Smith (FL)
DeLauro	Mavroules	Smith (IA)
Dellums	Mazzoli	Spratt
Derrick	McCloskey	Staggers
Dingell	McCurdy	Stark
Dixon	McDermott	Stokes
Dooley	McHugh	Studds
Downey	McNulty	Swift
Durbin	Mfume	Synar
Dwyer	Miller (CA)	Taylor (MS)
Early	Mineta	Thornton
Edwards (CA)	Mink	Torres
Edwards (TX)	Moakley	Torricelli
Espy	Mollohan	Towns
Evans	Montgomery	Trafficant
Fascell	Moody	Traxler
Fazio	Moran	Unsoeld
Feighan	Mrazek	Vento
Flake	Murphy	Visclosky
Foglietta	Murtha	Volkmer
Ford (MI)	Nagle	Washington
Frank (MA)	Natcher	Waters
Frost	Neal (MA)	Waxman
Gejdenson	Neal (NC)	Weiss
Gephardt	Nowak	Wheat
Glickman	Oakar	Whitten
Gonzalez	Oberstar	Williams
Gordon	Obey	Wilson
Guarini	Olin	Wolpe
Hall (OH)	Olver	Wyden
Hamilton	Ortiz	Yates
Hayes (IL)	Owens (NY)	Yatron

NAYS—199

Allard	Bilbray	Clinger
Allen	Bilirakis	Coble
Andrews (TX)	Bliley	Coleman (MO)
Archer	Boehner	Combest
Army	Boehner	Condit
Bacchus	Broomfield	Cox (CA)
Baker	Browder	Cramer
Balenger	Bunning	Crane
Barnard	Burton	Cunningham
Barrett	Callahan	Dannemeyer
Barton	Camp	Davis
Bateman	Campbell (CA)	DeLay
Bennett	Carper	Dickinson
Bentley	Chandler	Doolittle
Bereuter	Clement	Dorgan (ND)

Dorman (CA) Kolbe  
 Dreier Kyl  
 Duncan Lagomarsino  
 Edwards (OK) Leach  
 Emerson Lent  
 English Lewis (CA)  
 Erdreich Lewis (FL)  
 Ewing Lightfoot  
 Fawell Livingston  
 Fields Lowery (CA)  
 Fish Luken  
 Franks (CT) Machtley  
 Gallegly Marlenee  
 Gallo McCandless  
 Gekas McCollum  
 Geren McCrery  
 Gibbons McDade  
 Gilchrest McEwen  
 Gillmor McGrath  
 Gilman McMillan (NC)  
 Goodling McMillen (MD)  
 Goss Meyers  
 Gradison Michel  
 Grandy Miller (OH)  
 Green Miller (WA)  
 Gunderson Molinari  
 Hall (TX) Moorhead  
 Hammerschmidt Morella  
 Hancock Morrison  
 Hansen Myers  
 Harris Nichols  
 Hastert Nussle  
 Hayes (LA) Orton  
 Hefley Owens (UT)  
 Henry Oxley  
 Herger Packard  
 Hobson Parker  
 Holloway Paxton  
 Hopkins Penny  
 Horton Petri  
 Houghton Porter  
 Hubbard Poshard  
 Huckaby Pursell  
 Hunter Quillen  
 Inhofe Ramstad  
 Ireland Ravenel  
 Jacobs Ray  
 James Regula  
 Johnson (CT) Rhodes  
 Johnson (TX) Ridge  
 Kasich Riggs  
 Klug Rinaldo

NOT VOTING—28

Anderson Engel  
 Boxer Ford (TN)  
 Brown Gaydos  
 Campbell (CO) Gingrich  
 Conyers Hatcher  
 Coughlin Hyde  
 Dicks Kaptur  
 Donnelly Lantos  
 Dymally Levine (CA)  
 Eckart Martin

□ 1440

Mrs. ROUKEMA and Messrs. ANDREWS of Texas, HOUGHTON, and ENGLISH changed their vote from "yea" to "nay."

Mr. SPRATT, Mrs. COLLINS of Illinois, Mrs. COLLINS of Michigan, and Mrs. BYRON changed their vote from "nay" to "yea."

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

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

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

RECORDED VOTE

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

The vote was taken by electronic device, and there were—ayes 230, noes 174, not voting 30, as follows:

[Roll No. 324]  
 AYES—230

Abercrombie Green  
 Ackerman Guarini  
 Alexander Hall (OH)  
 Andrews (ME) Hamilton  
 Andrews (NJ) Harris  
 Andrews (TX) Hayes (IL)  
 Annunzio Hayes (LA)  
 Anthony Hefner  
 Applegate Hertel  
 Aspin Hoagland  
 Atkins Hochbrueckner  
 AuCoin Horn  
 Bacchus Horton  
 Beilenson Hoyer  
 Bennett Jacobs  
 Berman Jefferson  
 Beville Jenkins  
 Bilbray Johnson (SD)  
 Blackwell Johnston  
 Bonior Jones (GA)  
 Borski Jones (NC)  
 Boucher Jontz  
 Brewster Kanjorski  
 Browder Kennedy  
 Bruce Kennelly  
 Bryant Kildee  
 Bustamante Kleczka  
 Byron Koiter  
 Cardin Kopetski  
 Chapman Kostmayer  
 Clay LaFalce  
 Clement Lancaster  
 Coleman (TX) LaRocco  
 Collins (IL) Laughlin  
 Collins (MI) Lehman (CA)  
 Cooper Lehman (FL)  
 Costello Levin (MI)  
 Cox (IL) Lewis (GA)  
 Coyne Lipinski  
 Cramer Lloyd  
 Darden Long  
 de la Garza Lowey (NY)  
 DeFazio Manton  
 DeLauro Markey  
 Dellums Martinez  
 Derrick Mavroules  
 Dingell Mazzoli  
 Dixon McCloskey  
 Donnelly McCurdy  
 Dooley McDade  
 Dorgan (ND) McDermott  
 Downey McHugh  
 Durbin McMillen (MD)  
 Dwyer McNulty  
 Early Mfume  
 Eckart Miller (CA)  
 Edwards (CA) Mineta  
 Edwards (TX) Mink  
 Erdreich Moakley  
 Espy Mollohan  
 Evans Montgomery  
 Fascell Moody  
 Fazio Moran  
 Feighan Mrazek  
 Flake Murphy  
 Foglietta Murtha  
 Ford (MI) Myers  
 Frank (MA) Nagle  
 Frost Natcher  
 Gaydos Neal (MA)  
 Gejdenson Neal (NC)  
 Gephardt Nowak  
 Gibbons Oaker  
 Gilman Oberstar  
 Glickman Obey  
 Gonzalez Olin  
 Gordon Oliver

NOES—174

Allard Bliley  
 Allen Boehlert  
 Archer Boehner  
 Armev Broomfield  
 Baker Bunning  
 Ballenger Burton  
 Barnard Callahan  
 Barrett Camp  
 Barton Campbell (CA)  
 Bateman Carper  
 Bentley Chandler  
 Bereuter Clinger  
 Bilirakis Coble

Duncan  
 Edwards (OK)  
 Emerson  
 English  
 Ewing  
 Fawell  
 Fields  
 Fish  
 Franks (CT)  
 Gallegly  
 Gallo  
 Geren  
 Gilchrest  
 Gillmor  
 Goodling  
 Goss  
 Gradison  
 Grandy  
 Gunderson  
 Hall (TX)  
 Hammerschmidt  
 Hancock  
 Hansen  
 Hastert  
 Hefley  
 Henry  
 Herger  
 Hobson  
 Holloway  
 Hopkins  
 Houghton  
 Hubbard  
 Huckaby  
 Hughes  
 Hunter  
 Hutto  
 Inhofe  
 Ireland  
 James  
 Johnson (CT)  
 Johnson (TX)  
 Kasich  
 Klug  
 Kolbe

Kyl  
 Lagomarsino  
 Leach  
 Lent  
 Lewis (CA)  
 Lewis (FL)  
 Lightfoot  
 Livingston  
 Luken  
 Machtley  
 Marlenee  
 McCandless  
 McCollum  
 McCrery  
 McEwen  
 McGrath  
 McMillan (NC)  
 Meyers  
 Michel  
 Miller (OH)  
 Miller (WA)  
 Molinari  
 Moorhead  
 Morella  
 Morrison  
 Nichols  
 Nussle  
 Orton  
 Oxley  
 Packard  
 Paxton  
 Penny  
 Petri  
 Porter  
 Pursell  
 Quillen  
 Ramstad  
 Ravenel  
 Ray  
 Regula  
 Rhodes  
 Ridge  
 Riggs  
 Rinaldo  
 Ritter

NOT VOTING—30

Anderson  
 Boxer  
 Brooks  
 Brown  
 Campbell (CO)  
 Carr  
 Conyers  
 Coughlin  
 Dicks  
 Dymally

Engel  
 Ford (TN)  
 Gingrich  
 Hatcher  
 Hyde  
 Kaptur  
 Lantos  
 Levine (CA)  
 Lowery (CA)  
 Martin

□ 1459

So the resolution was agreed it. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. PELOSI. Mr. Speaker, I offer a personal explanation of my absence from today's earlier votes. I was delayed due to travel en route from my district. Had I been here to vote, I would have voted the following way: On rollcall 320, the Burton amendment to cut 1 percent from H.R. 5677, the Labor-HHS appropriations bill, "no"; on rollcall 321, the Natcher motion to rise and report H.R. 5677, the Labor-HHS appropriations bill, "aye"; on rollcall 322, on passage of H.R. 5677, the Labor-HHS appropriations bill, "aye"; on rollcall 323, ordering the previous question on the rule for the supplemental appropriations bill, "aye"; and on rollcall 324, on passage of the rule for consideration of the supplemental appropriations bill, "aye."

□ 1500

## PERSONAL EXPLANATION

Mr. NAGLE. Mr. Speaker, because I was detained earlier today I missed a series of rollcall votes. Had I been present, I would have voted "nay" on rollcall vote 320; "nay" on rollcall vote 321; and "yea" on rollcall vote 322, on passage of H.R. 5677, the Labor-HHS-Education appropriations bill.

## GENERAL LEAVE

## PERSONAL EXPLANATION

Mr. MCDADE. Mr. Speaker, during the vote on final passage of H.R. 5677, I was here on the floor working on the outstanding issues of the supplemental which was the order of business immediately following Labor, HHS, Education. In the hurly-burly, crazy confusion that was part of those discussions, I missed the opportunity to cast my vote on final passage of H.R. 5677. Had I voted, I would have voted "aye" on rollcall vote No. 322.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 5620) making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes, and that I may be permitted to include tabular and extraneous material.

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

There was no objection.

## SUPPLEMENTAL APPROPRIATIONS, TRANSFER, AND RESCIS- SIONS ACT, 1992

The SPEAKER pro tempore. Pursuant to House Resolution 527 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5620.

□ 1501

## 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. 5260) making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes, with Mr. MCDERMOTT in the chair.

The Clerk read the title of the bill.

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

The gentleman from Kentucky [Mr. NATCHER] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. MCDADE] will be recognized for 30 minutes.

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

Mr. NATCHER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, as my colleagues well know, the bill that passed just a few minutes ago, The Labor, Health and Human Services, Education appropriations bill, was the 11th appropriations bill to pass in the House so far. We take the Committee on Appropriations allocation for fiscal year 1993 and divide this allocation into 13 parts; not equal moneywise, but 13 parts, and develop our appropriations bills.

Tomorrow we will take up Veterans Affairs, HUD, and independent agencies; the next day we will take up Commerce, Justice, State, and Judiciary.

Then, Mr. Chairman, all 13 appropriations bills will have passed in the House. On the other side they have them all.

I am serving, as my colleagues well know, as acting chairman, assisting my chairman, the gentleman from Mississippi [Mr. WHITTEN], one of the ablest Members that ever served in this House, and working with my friend, the gentleman from Pennsylvania [Mr. MCDADE], we have worked together with all of the Members of both sides.

I want my colleagues to know that as the acting chairman for the gentleman from Mississippi [Mr. WHITTEN], I appreciate the cooperation I have received. They all have been good to me, and I appreciate it.

Mr. Chairman, the bill that we have before us is within our section 602 allocations. Every dollar in the bill is within the allocations.

The defense, international affairs, and domestic discretionary amounts are all under existing caps. We do not go one dollar over, all are under.

The Persian Gulf regional defense fund and the defense cooperation account provide \$5,182 million. This amount in the bill pays off the balance of the cost for the Persian Gulf war. This war, as has been pointed out today, cost \$61,100 million. In this bill, we are rescinding \$12,485 million. This money was set aside in case it was needed. It was not necessary, and we are sending it back to the Treasury.

As far as the war generally is concerned, \$53,007 million of the amount spent on the way was money and in kind support from our allies, and every dollar pledged was paid.

The Persian Gulf war cost our country, the United States, \$7,400 million.

Mr. Chairman, as I have pointed out, we are under all of the spending caps. Defense is in this bill for \$1,182 million. International peacekeeping is in for \$80 million. Domestic discretionary money in the amount of \$46 million is in this bill. There are mandatory accounts in the bill that do not count against the spending limits. They are \$237 million under the Unemployment Insurance Fund, and \$500 million for Veterans Ad-

ministration compensation and pensions.

Mr. Chairman, we recommend this bill to the members of the committee.

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

Mr. Chairman, I rise in support of this legislation.

At the outset, I want to commend my friend from Kentucky for the job he is doing on behalf of the distinguished chairman of the full Committee on Appropriations and all the members of the committee, on both sides of the aisle, all of whom can take pride in this legislation.

A lot of Members, I think, are looking at this supplemental as just a routine matter filling a gap here and a gap there, taking care of a problem here or a problem there. But in my view, Mr. Chairman, this legislation is of far greater significance.

It is in this supplemental that we see the fruits of our resounding success in Operation Desert Shield-Desert Storm. I point with particular pride, may I say to my colleagues, to the provision in this bill that returns \$12.5 billion to the U.S. taxpayers. And I want to pay a special tribute to my distinguished friend from Pennsylvania, the chairman of the Defense Subcommittee, Mr. MURTHA. We worked together long and hard. And to see that \$12 billion goes back into the Treasury underlines the success of that operation by this country. That \$12.5 billion is, of course, virtually the entire amount of what I refer to as a bridge loan of \$15 billion, which we appropriated to assure the availability of funding for the operation while pledges from our allies were coming in. And come in they did.

When we appropriated these funds last March, within days of the end of the ground war, we all hoped, we all expected that most of the cost would be covered by the pledges of our allies, amounting to \$54 billion.

At that early date, when many Members of this body put their necks on the line and appropriated that \$15 billion, only about 20 percent of those pledges were received in pocket. The number that was actually in the Treasury was around \$12 billion. We did not have all of the allies' money yet.

What we did have was the word of our President that these pledges were bed-rock-solid, as solid as the coalition that he put together against Iraq.

There were a lot of doubters. We heard a lot of people around the country and in this Chamber say the only way that we could collect was through threats. And we saw a lot of efforts in that line and opposed all of them.

The fact remains, we were taking a calculated risk. And we all knew it when we voted for that money. We were putting \$15 billion of U.S. taxpayers' money on the line in anticipation, in a bridge-loan mode, of funding from overseas.

My friends, as we stand here today, each and every dollar committed by our overseas allies, from the Saudis to the Kuwaitis to the Germans to the Japanese are paid in full; \$48.1 billion in cash and \$5.68 billion in kind, totaling, Mr. Chairman, \$53.8 billion.

As a result, we are able to close out the costs of Desert Storm by tapping into only, and I use that phrase with some trepidation, \$2.2 billion of the U.S. funds we put on the line last year.

The chairman mentioned a figure of some \$7 billion. That is a good figure, too, which includes transfers from defense funds early in the Desert Shield operation. But no matter what we do, those figures do not include, do not include, the huge amounts that our Nation spent pursuing a policy of strength and deterrence through strength, money spent on plant and equipment, money spent on RDT&E, money spent on training to achieve that high degree of readiness and sustainability that were achieved by United States forces in the war against Iraq.

□ 1510

We were able to do this for several reasons. We were able to do it because the President and his team were able, as the undisputed leaders of the free world, to assemble an international coalition to oppose Saddam Hussein that was unprecedented in the history of the world. There has never been burden-sharing like this until the President forged the trust and will of the world community in order to defeat aggression in the Middle East.

It is because of this unparalleled leadership, and of course, in the Middle East and also with respect to our former enemy, the Soviet Union, that the President was able to say, and, may I say, the Democratic nominee for President was able to repeat verbatim, that "We have changed the world, now let's change America."

It is this leadership that allowed the President, the Secretary of Defense, and of course, my colleagues in the Congress to agree on defense rescissions that will total in this fiscal year \$20 billion in on orderly and strategic build-down. Nobody has done a better job in running the Pentagon than our distinguished former colleague, the Secretary of Defense, Dick Cheney. It is this leadership that will help guide this country and the United Nations to respond to the latest crisis that exists with respect to Iraq.

I think we ought to stand back every now and then and contemplate where we would be today without that quality of leadership, keeping America as the beacon of freedom in the world. Let us contemplate for a minute how long we could sustain new initiatives in order to improve our domestic order, in the absence of demonstrated and experienced global leadership.

Mr. Chairman, the legislation before us represents a special moment where we can see the risks we took were justified, where the qualities of leadership in the free world shone brightly, and where the fruits of success result in a return of \$12.5 billion to the people of this Nation, on whose behalf we act in a trustee capacity.

All of us can take a degree of credit for this result. All of us can say, "This, at least, is one task well done and well ended."

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

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

Mr. SMITH of Iowa. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I want to call attention to a few matters in this bill that are handled by the subcommittee that I happen to be privileged to chair. One is the International Trade Administration. There is \$1.8 million in additional money for them. They have an increased case load—especially some steel cases—that need to be handled. That money is needed so they can handle the increased load.

There is \$80 million for additional international peacekeeping contributions. We have had a rash of requests for new allocations for international peacekeeping contributions. I have some doubts that some of these peacekeeping operations by the U.N. stationing troops in trouble zones are doing as much good as it is hoped they will do, but nevertheless, at this juncture in history there are numerous outbreaks of violence, and we do have the allocation and we recommend the additional \$80 million.

There is \$31.6 million for defender services. The defender services is under the courts, under the Constitution, the courts are required to provide lawyers to help indigents secure a competent defense when they are charged with a crime. If they do not assign legal counsel that is competent, then the defendant is entitled to be turned loose.

Also the Speedy Trial Act requires that these trials be held promptly, so it is necessary if we are going to enforce the criminal laws of this country that we have adequate resources for the defenders service. There has been an increase in the number of arrests for crimes, specially those related to drugs, and the number of crime cases that have been prosecuted, so this is absolutely necessary. They have already run out of money. The courts have been receiving bills that are not paid and depending on the attorneys that were appointed to wait for their money up to this time, so this supplemental is very necessary.

Also there is a matter of \$1 million for the Equal Employment Opportunities Commission. I believe, the day be-

fore yesterday, the new law went into effect with regard to the disabilities act. There will be a number of responsibilities under that law that are assigned to the Equal Employment Opportunities Commission. That is the reason for that \$1 million in this bill.

Mr. NATCHER. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. CARR].

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

Mr. Chairman, I rise to ask the gentleman from Pennsylvania [Mr. MURTHA], the chairman of the Subcommittee on Defense of the Committee on Appropriations, a question.

As the gentleman knows, as the chairman of the subcommittee knows, there is quite a bit of money in this bill and in prior DOD appropriations bills for clean-up in environmental compliance in the Department of Defense. In fact, all told, it is getting pretty darn close to \$1 billion to clean up environmental situations that the Department of Defense has under its stewardship.

I am also aware that the gentleman, in regular appropriations and in fiscal year 1991 and 1992, has included approximately \$4.5 million to the Michigan Biotechnology Institute, which happens to be in my district, because they are working on bioremediation technologies and scaling up the industrial processes for these bioremediation technologies. The Department of Defense apparently has some interest in these technologies as a way of cleaning up its environmental responsibility.

I also understand, Mr. Chairman, that the Department of Defense has not released the \$4.5 million appropriated in the fiscal year 1991 and 1992 appropriation bills, and I understand, although I do not know directly, but I understand that it is because those directions were contained in a committee report, as opposed to the bill language.

I know from my own appropriations subcommittee that the departments usually, in the spirit of comity and compromise, accede to the instructions in the report. I wonder if the gentleman would comment.

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

Mr. CARR. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, let me say on the gentleman's behalf that we appropriated the money, and speaking on behalf of the gentleman from Pennsylvania [Mr. MCDADE] and myself, we have taken the environmental situation very seriously. For years the Department of Defense did not live up to their obligation of following Federal or State laws in environmental clean-up and in environmental control. We feel very strongly about that issue. When we put it in a report we expect the department to follow our recommenda-

tions. They almost always do. If they do not, we put it in bill language later on.

The gentleman can be assured we will pursue why they have not complied with the report language, and I would think we will find that they will follow our recommendation, unless there is some real reason that they should not. But they normally, 99 percent of the time, follow our report language.

Mr. CARR. Mr. Chairman, I thank the gentleman for his response.

Mr. MCDADE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I rise in support. I would like to cover a couple of reasons why. I would like to thank the gentlemen from Pennsylvania, my friends, Mr. MCDADE and Mr. MURTHA, for bringing this bill forth.

Mr. Chairman, first of all, I have spent a lot of time in the military, and I know the need for waste and environmental cleanup. At the NAS Miramar facility it is up for an award. Miramar has taken fuel and oil contamination that runs off the runways into the land and rechanneled it to keep the land toxic free. They have replanted fire roads with grass, so wild game will have food. They have protected endangered species and hired an environmental specialist to further protect our environment.

It shows that if we take out the extremists on both sides—either the extremists in the environmental movement or the extremists in the business movement—and work together that we can work with the fiscal plan and the environment together.

Second, with all the defense cuts in the unemployment section of it, I cannot tell the Members how many people I know in San Diego are being laid off, and for that matter, as a matter of fact, all over the country. We need to support them during times of defense cuts and joblessness.

□ 1520

The unemployment benefits are welcome.

Third, something that is very sensitive—the Tailhook fiasco that took place in Las Vegas. I know that at NAS Miramar, my old base, morale is at an all time low. Junior officers, the flag officers, across the board are incensed to the point where they are mad. Was Paula Kaufman violated? The answer was yes, but we need to get through that investigation and put behind DOD all of those things, and take a look toward the 21st century and how men and women must work in harmony, together, instead of sexual harassment that took place at Tailhook. But at the same time we cannot continue to broad-brush innocent men and women that had nothing to do with the event, all the way from the Secretary of the

Navy being relieved, to the Deputy Chief of Naval Operations for Air Warfare, and many other flags and junior officers, and close friends of mine that are being painted with a brush that they do not deserve. We need that misconduct identified. We need the level of misconduct assessed and punishment assigned, and then we need to put it behind us and enforce policy or even change it.

So I rise in full support, and again I thank my friends, the gentlemen from Pennsylvania, Mr. MCDADE and Mr. MURTHA, for bringing this legislation forward.

Mr. NATCHER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. VISCLOSKEY].

Mr. VISCLOSKEY. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in opposition to the Stenholm amendment to strike language which would prevent the use of funds by the Secretary of Labor to implement the so-called helper regulations.

Congress has voted twice to permanently bar the use of funds to implement this regulation, but the administration and the courts have blatantly ignored the expressed intent of Congress. Therefore, I fully support the language adopted by the Appropriations Committee in this bill in order to dispel any conceivable doubt about the will of Congress.

Under the administration's regulation, the expanded use of the so-called helper classifications will seriously erode the Nation's pool of skilled journeymen mechanics available to work on both private and Federal projects now and in the future. Under prior practice, under the National Apprenticeship Act, a mechanic or laborer classified as an apprentice or trainee can only be paid less than the prevailing wage rate on a project covered by the Davis-Bacon Act if he or she is registered with the Bureau of Apprenticeship and Training [BAT] or a State agency recognized by the BAT. Expanded use of helper classifications will permit contractors to employ unskilled and semiskilled workers on projects covered by the Davis-Bacon Act without registering them in apprenticeship and training programs approved by the Bureau of Apprenticeship and Training or an appropriate State agency.

This will eliminate the primary incentive for many contractors to participate in the formal training programs necessary to ensure that unskilled and semiskilled workers eventually become qualified, skilled journeymen. If fewer contractors bother to participate in formal apprenticeship training programs, it will cause their eventual erosion. In the long run, the construction industry and the Nation will suffer because apprenticeship and

training programs are the best and often only source of fully qualified construction workers capable of performing the skilled work necessary in the modern technology of today's construction industry.

In the long run, the erosion of this pool of skilled workers will cost the American taxpayer because the use of unskilled workers leads to low productivity, substandard construction, and unsafe working conditions.

I urge my colleagues to support H.R. 5620 and to reject the Stenholm amendment.

Mr. NATCHER. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DOOLEY].

Mr. DOOLEY. Mr. Chairman, I rise in support of the bill and specifically for title VI, which relates to migrant and seasonal farm workers.

I want to take this opportunity to thank Chairman WHITTEN and his staff for their assistance in providing support for this provision. I also want to thank my California colleague VIC FAZIO and his staff for their work on this provision.

Title VI appropriates no new money. It merely clarifies the intent of Congress last November when we passed, and President Bush signed, an emergency supplemental appropriation bill that provided relief as authorized in the 1990 farm bill for victims of agricultural disasters.

The farm bill provided for programs for both farmers and farm workers affected by natural disasters.

The November supplemental was set up to provide relief in two installments: Approximately \$1 billion, which was made available immediately, and an additional \$775 million, to be available at the discretion of the President and the Secretary of Agriculture. This second installment has not yet been made available.

While it was the intent of Congress that the Farm Worker Program be funded with some of the first installment of emergency funding, the USDA refused to provide any funding for the program.

The provision in today's supplemental says that if the second installment of disaster assistance is released, it would fund all or part of a disaster grant program authorized in the 1990 farm bill designed to assist private, nonprofit agencies that help farm workers and their families.

I urge my colleagues to support this supplemental.

Mr. MCDADE. Mr. Chairman, I yield 5 minutes to my distinguished colleague, the gentleman from Pennsylvania [Mr. WELDON] a member of the Committee on Armed Services.

Mr. NATCHER. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. GEREN].

Mr. WELDON. Mr. Chairman, this is going to be a colloquy, and I thank my

distinguished colleague from Pennsylvania and my leader for relinquishing the time and offering the time so that we can discuss the V-22 Osprey Program in relation to the supplemental legislation before us.

I want to start off by congratulating both the ranking member and our chairman who has been a leader of the program for the last 10 years in this Congress for their efforts in allowing us to move to this point in time where we can in fact look over the horizon and be able to provide the Marine Corps and our Special Operations Forces with this vital piece of equipment that is absolutely necessary as they move into the 21st century. As a matter of fact, on July 2, Secretary Cheney assured myself and 12 of my colleagues from the House and the other body that he was dropping his longstanding opposition to the V-22, and I quote him: "DOD intends to build the V-22 aircraft."

While making no commitment to build a specific number of these aircraft, and making passing reference to some other reexamination of a medium-lift need, the Secretary gave us his word that he would stand aside, release the impounded funds, and allow the next phase of this program to move forward. This would not have been possible were it not for the gentleman from Pennsylvania, Mr. MURTHA and Mr. MCDADE, and all of those Members of Congress who have been absolutely unequivocal in their support for the V-22. As a matter of fact, we have a letter signed by 210 of our colleagues urging the President to continue to move forward on this program.

Unfortunately, what has occurred over the past several days have been reports coming out, including reports in the press that contrary to the Secretary's word given to a dozen Members that he would allow this program to move forward, that the Secretary is in fact forcing the Joint Requirements Oversight Council or the JROC to rewrite the requirement for the medium-lift replacement. We also understand that Secretary Cheney is forcing the Marine Corps to do the same.

I would ask the chairman to give us his assessment of the V-22 Program in light of these reports that perhaps he is trying to now change the parameters for the V-22.

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

Mr. WELDON. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I appreciate the gentleman yielding.

I have had long conversations with Secretary Cheney about this issue, and there is no stronger supporter than myself and the subcommittee which I have the privilege to chair. JOE MCDADE and I have fought the battles year after year trying to make sure that the Marine Corps moves into the future and

uses this type of aircraft in order to meet its needs. I think it would be a severe blow to the Marine Corps if they did not have the V-22 in their arsenal to move them farther and faster.

I am convinced that Secretary Cheney will keep his word. There is no question in my mind that he has delegated the responsibility for a compromise to the Secretary of the Navy, or Acting Secretary of the Navy, and in talking to the Acting Secretary, he wants to reduce the weight, and he wants to reduce the cost per airplane, and I agree that that can be accomplished, as long as it meets the mission of the Marine Corps. Obviously you can reduce the requirements to the point where you just have a helicopter. I do not see a helicopter on the horizon that would meet those qualifications.

If you want to delay the program, obviously you could put a requirement out which would lengthen the program. We would never have a program.

Defense money is going to be reduced substantially. This has been the No. 1 priority for the Marine Corps for the last 5 or 6 years. The last three commandants have all felt this was the No. 1 issue that they are involved in.

I have to compliment the gentleman from Texas [Mr. GEREN] and the gentleman from Pennsylvania [Mr. WELDON] for the work that they have done in keeping this in the forefront. Those two gentlemen have taken a strong position, the right position, and I am convinced that we will work out a compromise.

Our subcommittee was very nervous in making a compromise with the Secretary of the Navy because of the fact the GAO said they had to start spending the money. But when they said they wanted to make some changes, and in order to make those changes all they needed was some change in our language, we were willing to go along, as long as we saw some movement on their part.

□ 1530

We have made that movement on our side. We are prepared, if we do not see a compromise, of course, to change that language. They know that that is the ultimate result, and I am convinced that they believe that the Congress feels very strongly about this program, and they will ultimately agree to a compromise which will meet the requirements of the Marine Corps.

Mr. WELDON. Mr. Chairman, I thank the chairman for that colloquy.

In other words, our action on this supplemental today is in no way an indication that we are giving the Navy the ability to move away from the V-22 Program that has been the single requirement of the Marine Corps for the last 5 years? Is that correct?

Mr. MURTHA. If the gentleman will yield further, the gentleman is absolutely correct. We feel very strongly about it.

Our subcommittee unanimously supports this program, as does the Committee on Armed Services, and usually we do not even put language in. We adhere so closely to the Committee on Armed Services language; we are very careful not to interfere in their legislative responsibility, and usually only put money in, but in this case, we felt so strongly about it that we wanted to reinforce what you have already done, so we put language in the bill.

Ultimately we believe that the language in conference will be the key issue, and this will not jeopardize this program in any way. As a matter of fact, we think it will facilitate a compromise, and the next thing I expect to happen is money to be released by the Defense Department to the Navy, and as this compromise is worked out, then the contractors will be able to go forward.

Mr. WELDON. Mr. Chairman, I thank the chairman.

Mr. GEREN of Texas. Mr. Chairman, just to follow up on some of the colloquy with the gentleman from Pennsylvania [Mr. WELDON], the concern that many of us have, and I know as someone such as you who has just worked this program from its very beginning and share our very strong commitment to it, the concern is that the mission requirements could be reduced to the point where the Secretary of the Navy or the Department of Defense could end up in a back door, or going through a back door, work the V-22 out of the equation, by compromising the speed requirement, by compromising the lift requirements, the range.

It is our concern that we make sure that that not happen, and we want to make sure that we have some kind of steps on the part of the Secretary of the Navy or the Department of Defense to assure us that is not going to happen before we take this language out which really is the hammer we hold over the head of them in these delicate negotiations.

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

Mr. GEREN of Texas. I am happy to yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, let me just say that the gentleman's concern is legitimate, and I think it is the thing that the subcommittee expressed when I offered the recommendation to them about the compromise. Every member of the subcommittee mentioned the same thing, the concern that they had, that they would be trying to delay this program.

We in our conversation came to the conclusion that there is no medium-lift helicopter that we know of that could meet the requirement that the Marine Corps needs, and the Marine Corps will eventually determine what the requirements are, and we have said to the Marine Corps, "You make the require-

ments," and we even put the language in the bill; we will meet the requirements of the Marine Corps. If we think in any way that the Marine Corps has been intimidated or that the Secretary of the Navy has tried to dictate the requirements to the Navy from the pencil-pushers over there in the Pentagon, at least I would make the recommendation, and I think the gentleman from Pennsylvania [Mr. MCDADE] would go along with the recommendation and the rest of the subcommittee, we would not fund an alternative program, so we are convinced it is absolutely essential to have this program. We will not allow the requirements to go below what the Marine Corps wants, and we are insisting that the pencil-pushers not dictate to the Marine Corps what is needed just to get the costs down.

Our long experience has been you can reduce the cost too much. When you do that, you reduce the effectiveness, and ultimately you destroy the program. We certainly are not going to allow that to happen.

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

Mr. GEREN of Texas. I am happy to yield to the gentleman from Texas.

Mr. FROST. Mr. Chairman, just briefly, the chairman has been a staunch supporter, and we appreciate it, those of us who are supporters of the program, everything that he has done.

There is some concern that this whole process may be just a smoke-screen by the administration to get past this election, and those of us who are concerned about this project want to make sure that we keep our eye on the ball and that this, in fact, is a commitment that extends, because we do not want it to just be in the next couple of months.

Mr. MURTHA. If the gentleman will yield further, I want to say to the gentleman from Texas that he has been a strong supporter of this program and talked to me many times about it and talked to every member of the subcommittee and the Committee on Armed Services about this program, and the gentleman can be assured the Marine Corps is going to dictate the requirements, and we are not going to fund an alternative that is inadequate for the Marine Corps purposes.

Mr. FROST. I thank the gentleman.

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

Mr. GEREN of Texas. I am happy to yield to the gentleman from Oklahoma.

Mr. INHOFE. Mr. Chairman, I do not think any discussion on the V-22 should take place without recognizing the ramifications that go far beyond military application.

Right now, in our transportation reauthorization bill, we have language that is looking at this for civilian use. Right now we know of the noise requirements in airports and all the

problems that are taking place around the country. This technology is the answer.

In my committee, the Committee on Merchant Marine and Fisheries, we have language in there now determining where the best use for experimentation is going to be for the V-22 technology, search and rescue, oil spill, drug interdiction.

Everywhere I have gone and talked to these people, Admiral Yost, Admiral Kime, they all feel this is the answer to their prayer.

Third, this technology actually started some 20 years ago with the XV-15 in the prototype. If we do not do it, we know that the Japanese and other countries will be doing it.

This, if nothing else, is that type of defensive mechanism that should be considered, and I applaud the gentleman's efforts to keep it on the front burner.

Mr. GEREN of Texas. Mr. Chairman, what sort of actions are you expecting on the part of DOD to show their good faith, and if that does not happen, we understand that you intend to withdraw this language in the conference report?

Mr. MURTHA. If the gentleman will yield further, that is exactly right. We are expecting them to release the money and to come up with a proposal very quickly that will convince you and the Committee on Armed Services and us on the Defense Subcommittee that they are serious about a compromise.

We have done our part over a lot of criticism, and we did it before the crash.

I mean, this was not something that was dictated by the unfortunate incident. We did this before, because we wanted to move this program forward.

So I expect them to release the money momentarily, and then to get this program moving forward and come up with qualification requirements that the Marine Corps has set forth and that we can live with.

Mr. GEREN of Texas. If they are not able to do that or do not do that, do you intend to withdraw your language from the conference report?

Mr. MURTHA. We will reinstate that language or stronger language, or we will just eliminate our language and, of course, the current language will prevail.

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

Mr. GEREN of Texas. I am happy to yield to the gentleman from Ohio.

Mr. KASICH. Mr. Chairman, next week the Committee on Armed Services is going to have some hearings on the whole issue of the V-22.

I want to say that the Secretary of the Navy designee or Acting Secretary has really left the box with full steam, and I think he realizes that credibility is an important issue both off the Hill and on the Hill.

I think Mr. O'Keefe realizes that when he comes here next week he has got to be prepared to just lay out the facts as the Secretary of Defense sees them and as he sees them.

I am optimistic we are going to get a very fair shake from Sean O'Keefe, but we will have an opportunity to look at this a little more in depth come next week.

Mr. GEREN of Texas. Reclaiming my time, I want to thank the chairman, the gentleman from Pennsylvania [Mr. MURTHA], for his leadership on this issue, and I thank my friend, the gentleman from Pennsylvania, and the chairman, the gentleman from Kentucky [Mr. NATCHER].

Mr. MCDADE. Mr. Chairman, I yield back the balance of my time.

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

Mr. Chairman, all 13 of our bills have been reported within our 602(b) allocation.

This was planned and designed by my chairman, the gentleman from Mississippi [Mr. WHITTEN].

As I pointed out a few minutes ago, with the leadership of my chairman, JAMIE WHITTEN, the gentleman from Pennsylvania [Mr. MCDADE], and every member of this committee on both sides of the aisle, we have reached the point where we are now with 11 of our bills passed in the House, tomorrow it will be 12, the next day 13.

Mr. RAY. Mr. Chairman, I rise in support of the additional funding for Department of Defense environmental programs contained in H.R. 5620, supplemental appropriations for fiscal year 1992.

The need for this additional environmental funding has been validated in several hearings held by the environmental restoration panel of the Armed Services Committee, which I chair.

The increase of \$431.7 million for environmental compliance will allow the Department of Defense to transition from a reactive to a more proactive environmental management approach. The Department will be able to aggressively pursue pollution prevention, and to address emerging environmental and conservation compliance requirements.

Additional funding for the Defense environmental restoration account will allow DOD to expedite cleanups at national priority listed sites and accelerate the testing, removal, and replacement of leaking underground storage tanks.

I am also pleased to note that the supplemental provides an additional \$23.2 million for Robins Air Force Base. That base is operating under a compact I helped orchestrate between the Air Force, EPA region IV and the Georgia Department of Natural Resources. This agreement accelerated cleanup efforts by at least 1 year. The supplemental appropriations money will allow the Air Force to expedite the cleanup of an NPL site there in accordance with the compact.

This measure also increases cleanup funding at Fort Gillem by \$325,000. Although Fort Gillem is not an NPL site, it has some serious environmental contamination that needs to be addressed as quickly as possible.

For some time, the panel has also been very much concerned about the lack of funding necessary to carry out environmental work at 1991 base closure and realignment installations. This supplemental will provide the funding to get these efforts back on track, and meet all statutory and regulatory requirements.

I regret that there were a number of procedural and policy issues that had to be resolved before consideration of this supplemental, and I would urge that every effort be made to see it is enacted as soon as possible. Likewise, I hope that restrictions on the obligation and expenditure of funding for DOD environmental programs can be structured so that the Department can execute these programs in a timely and cost-effective manner.

I appreciate the hard work by Mr. WHITTEN, and Mr. NATCHER, and Mr. MCDADE of the Appropriations Committee in putting together this important supplemental appropriations bill and getting it to the floor. Its enactment is critical to DOD's ability to carry out its commitment to environmental leadership and to fulfill the expectations of the American people.

Mr. PORTER. Mr. Chairman, as a member of the Foreign Operations Subcommittee and as cochairman of the congressional human rights caucus I want to raise an issue that is terribly disturbing to me. The reports of mass starvation coming out of Somalia are absolutely abominable. If there is a dire emergency in need of addressing, Somalia is it.

The Red Cross estimates that between 2 and 2.5 million Somalis are displaced from their traditional lands and are seeking food and shelter elsewhere. Somalia, a country of between 4½ and 6 million people could lose one-third of its population to starvation in the next 6 months. That's between 1.5 and 2 million dead by the time the 103d Congress is sworn in January 1993.

The problem is partly a lack of food and partly ongoing fighting and thievery that makes unloading food at Somali ports dangerous and transportation of food within the country unreliable. Red Cross workers have set up 400 kitchens across Somalia and are risking their own lives to feed as many people as possible. But armed gangs have raided kitchens and attacked and pillaged food caravans. As a result, the kitchens are understocked and thousands are dying a slow, agonizing death by starvation every day, many of them tiny children.

Let me read a passage from the July 19 New York Times, that I think encapsulates what is going on in Somalia:

"I have children like this every day," said [a Red Cross worker], pointing to 10-year-old Abdul Kadir Isak, a skeleton of a boy, too weak to walk, hunched on the ground. Someone pushed a platter of rice in front of Abdul, but he was too feeble to swallow it. He just stared at the whiteness. "He won't live until tomorrow," said the Red Cross worker.

In addition, Somalis have begun fleeing their homeland by trying to cross the Gulf of Aden to Yemen in rickety boats. Unfortunately, relief services are not well developed in Yemen and even those who make a successful voyage are not out of danger. Many, however, do not successfully complete the voyage. Pushed from their homes by famine and force of arms, they drown when their boats capsize. Today's Washington Post is reporting that 45 Somalis

drowned over the weekend when their boat sank in rough seas off Djibouti.

The world cannot stand by and let this happen. The Somali people must be helped.

Somalia's interim Prime Minister Omar Arteh Ghalib has asked for 10,000 U.N. troops to ensure peace in Somalia and allow for the efficient distribution of food to the starving, who are largely encamped around cities and villages. The United Nations has currently agreed to supply 50 unarmed observers, but it is evident that these observers cannot ensure the unimpeded functioning of the food distribution system and save the Somali people.

The emergency in Somalia isn't directly addressed in this bill, but Mr. SMITH offered an important amendment at full committee that added \$80 million for international peacekeeping. I urge the United Nations and the President to address the urgent needs in Somalia, beginning with the need for security so that food can be distributed to the millions of innocent people starving to death there.

Mr. FAZIO. Mr. Chairman, I rise in strong support of H.R. 5620, a bill providing supplemental appropriations for fiscal year 1992.

Mr. Chairman, this measure is important for a number of reasons.

The bill approves the transfer of \$69 million in existing funds from the environmental restoration defense account and earmarks \$162.7 million in new funding. The Department of Defense needs these additional funds to maintain an accelerated environmental cleanup schedule. The current shortage of funds has caused a slowdown in environmental restoration projects.

Without this funding, cleanup of military bases would fall behind an already drawn out schedule. We have an obligation to the communities to ensure that these properties are cleaned up so that new businesses can move in and jobs can be created. It is vital to the environment and for the overall public health and safety of those who live and work in these areas. The bill will allow the continuation of ongoing cleanup projects at McClellan Air Force Base as well as efforts to treat ground water contamination at the Sacramento Army Depot.

I would also like to highlight the additional funding provided in the bill for veterans compensation payments. Due to program cost increases the VA was faced with the prospect of not being able to fund the 3.7-percent cost-of-living adjustment that veterans received earlier this year. We provide an additional \$500 million to fulfill our obligation to provide a full COLA to all of our veterans. The bill also increases direct loans for the vocational rehabilitation program and provides startup funds for a new program that provides loans to nonprofit organizations leasing transitional housing units exclusively to veterans who are in, or have completed substance abuse treatment programs.

Mr. Chairman, the bill also includes \$30 million in emergency drought relief aid for drought stricken States in the West.

The funding is made available as authorized under Public Law 102-250, the Reclamation States Emergency Drought Relief Act of 1991 and other applicable statutes, and it is made available only if the President exercises his emergency authority under the budget act and releases these funds.

Mr. Chairman, make no mistake about it, the drought in many of our Western States is an emergency. My own State of California is experiencing a sixth year of drought. Farm income is down, rural unemployment is up, and our fisheries and wildlife resources are continuing to decline.

Eight States have already been declared eligible by the Secretary of the Interior for drought assistance under the Emergency Drought Relief Act—California, Oregon, Nevada, Idaho, Utah, Montana, Washington, and Nebraska. Within the next 2 to 3 weeks we expect four, and possibly even five, additional States to be declared eligible for assistance: North and South Dakota, Wyoming, and possibly Colorado.

These funds are essential to help provide supplemental water supplies for our drought stricken farm communities, our wildlife refuges, and our endangered fisheries. Without these resources, the drought impacted areas of the West will suffer significant job losses from reduced farm activity and our already stressed fish and wildlife resources will continue to suffer.

California's farm income dropped \$1 billion last year due to continuing drought conditions.

The drought is decimating the salmon fishery throughout the West. Last year, there were only 191 winter run salmon in the entire Sacramento River system, down from a high of 118,000. The striped bass population in the San Francisco Bay was also down from 117.2 million to 5.5 million last year. And, this year, commercial salmon fishing off the coast was suspended and tens of millions of dollars in income was lost due to the drought induced sharp declines in our fishery.

This funding can make a difference. It will provide essential, emergency drought relief to this region of the country.

For example, it could be used by the Bureau to expand its fish screen activities along the Sacramento River. It could be used to help diverters gain access to lower river water levels. And, it could support efforts to increase water supplies through the reuse of subsurface agricultural drainage water.

The funding can also be tapped to relocate pumping plants in our depleted reservoirs so that water deliveries can continue to be made to municipal and industrial consumers. For example, funding in the bill would be available to help relocate the pumping plant at Folsom Reservoir so that water deliveries can continue to be made to the city of Roseville, San Juan Suburban Water District, the city of Folsom, and Folsom Prison.

Clearly, Mr. Chairman, the drought has created an emergency in California and in parts of 12 other Western States. I hope the President signs the bill and moves immediately to release these funds.

Finally, Mr. Chairman, I want to extend my appreciation to Chairman WHITTEN who was very helpful and supportive in my efforts to include a provision in H.R. 5620 which seeks to provide assistance to low-income migrant and seasonal farmworkers who have been displaced by natural disasters. I also want to commend my colleague from California, Mr. DOOLEY, for his persistence and dedication in bringing this issue to my attention and to that of the Appropriations Committee. As a Mem-

ber who represents many of those who will benefit from this provision, Mr. DOOLEY deserves the bulk of the credit for making it happen.

As you know, Mr. Chairman, the 1990 freeze and the continuing drought in California have caused significant hardship for California growers and the migrant and seasonal farmworkers they depend on to harvest their crops. We have already been able to provide some disaster assistance to farmers and ranchers, but the needs of farmworkers continue to go unmet. Some estimates suggest that over 65,000 farmworkers in California lost their jobs because of disasters in 1990 and 1991. Most counties in my district lost up to 10 percent of farm jobs because of disasters. Nearly 1,000 migrant and seasonal farmworkers were displaced.

The provision in H.R. 5620 clarifies our original intent that farmworkers be eligible for disaster assistance grants under the dire emergency supplemental appropriations bill, Public Law 102-229, which we enacted last year. During consideration of Public Law 102-229, the Appropriations Committee recognized farmworkers in the drought and freeze assistance bill. However, the Agriculture Department has since stated that it needs more explicit direction to implement the farmworker assistance program. Title VI of H.R. 5620 makes it clear that the disaster assistance money provided under Public Law 102-229 can be used to provide emergency services to low-income migrant and seasonal farmworkers. I fully expect and anticipate, and indeed it is now the clear congressional intent under this provision, that if the administration releases the second installment of disaster assistance money, then a portion of that money will be used to provide emergency services to low-income migrant and seasonal farmworkers.

Again, Mr. Chairman, this is a good bill, and I urge my colleagues to support it.

Mr. PANETTA. Mr. Chairman, I rise in strong support of H.R. 5620 and, in particular, its provision of \$163 million for environmental restoration at closing military bases and its transfer of \$69 million from the Department of Defense environmental restoration account [DERA] to the base closure account. I also applauded the allocation of \$447.5 million in H.R. 5620 for other pollution cleanup programs of the Department of Defense and \$432 million for other environmental compliance activities at DOD installations. I am particularly pleased that the bill requires the expenditure of these funds by the end of fiscal year 1992, as they are sorely needed.

As many of you know, I have worked very hard to ensure that the Congress authorizes the appropriation of sufficient funds for environmental restoration at closing military installations since I learned that a large Army base closing in my district contains so much toxic waste that its restoration will last as long as 19 years.

The Army and Environmental Protection Agency have made it very clear: without the vital funding contained in this urgent bill, that cleanup effort at Fort Ord would be delayed—a delay that would not only postpone the restoration of our environment but also our community's economic recovery from the base closure. H.R. 5620's relief could not be more

timely. Beginning this month, the Army's cleanup team at Fort Ord has had to reduce its operations in order to stay within its limited budget. The provision of funds from this supplemental appropriations legislation will enable the project to resume its operations at the required rate. As chairman of the Budget Committee, I am equally pleased that the funds for military base closure cleanups are being taken from funds previously appropriated by the Congress.

I want to take this opportunity to commend the chairmen and the vice chairman of the Appropriations Committee and the chairmen of the Military Construction Appropriations and Defense Appropriations Subcommittees for their conscientious and responsive shepherding of these emergency appropriations through the rescission process to the floor of the House. They have recognized our communities' dire needs in this regard, and they have responded with all deliberate speed.

Mr. PICKLE. Mr. Chairman, I rise in support of H.R. 5620, supplemental appropriations for fiscal year 1992.

Bergstrom Air Force Base in my home city of Austin, TX, was slated for closure by the 1991 Base Closure and Realignment Commission. DOD environmental cleanup activities at Bergstrom and other bases around this country scheduled for this year have been on hold because of technical difficulties in transferring funds from one DOD account into another. This measure includes language which would allow the transfer of \$69 million from the Defense Department's environmental restoration account into the Defense base closure account so that cleanup activities at closing bases can be completed. It also includes \$163 million in supplemental appropriations for environmental cleanup at bases that will be closed in the next round of base closures and realignment.

Environmental restoration of military bases must be completed before properties can be conveyed to local governments or to the private sector. The language in this bill will allow environmental cleanup of military bases to be completed in a reasonable amount of time so that there will be minimal delay between the time a base is closed and the time the property can be used for another purpose.

Mr. Chairman, closing bases is difficult for the communities involved. Needless delay in the process is unfair to affected communities which are, after all, certainly doing their part to help reduce the deficit. The supplemental appropriation today prevents this needless delay, treats people affected by base closings fairly, and enables much-needed environmental cleanup to move forward. I urge passage of the bill.

Mr. RAHALL. Mr. Chairman, we are here today with our chests puffed out, to proudly proclaim that we are reducing budget outlays in fiscal year 1992 by \$10.4 billion because we don't have to spend already appropriated funds to pay for Operations Desert Storm and Desert Shield, as a result of the gulf war.

Today, by this action, we are returning over \$10 billion to the Treasury. For deficit reduction purposes.

We are still in recession, we are still seeing unemployment figures rise, we are seeing an overwhelming increase in the use of food as-

sistance programs—from food stamps to school lunches—and the WIC Program remains tragically underfunded.

In my humble opinion, Mr. Chairman, a lot of the debt we have hanging over us was directly caused by the biggest peacetime buildup in defense spending in the history of the United States.

I support an adequate defense. I also supported the President in his bid for authority to use force, if necessary, to get Iraq out of Kuwait. I voted for the \$15 billion appropriated for the Persian Gulf regional defense fund. Today, we are returning \$10 billion of that to the Treasury for deficit reduction purposes.

I am still committed to a peace dividend—now.

I have voted to tear down the firewalls in the 1990 budget agreement—this year—so that we can fund domestic discretionary programs here at home.

I guess I will vote for this supplemental because it is the right thing to do. It just doesn't go far enough to suit me.

How can I vote against a bill that contains the funds necessary to help pay for the just-passed extension of the unemployment benefits our people need? I can't.

How can I vote against a bill that contains funds to cover the 3.7-percent cost-of-living adjustment [COLA] for veterans next year? I can't. How can I vote against funding for low-income housing? I can't.

But it troubles me, Mr. Chairman, to hear from folks in West Virginia who are in dire need of many things, and one of them is the Women, Infants, and Children's Program [WIC] which provides vouchers for the purchase of nutritious foods and infant formula for pregnant and/or lactating women, and their children through age five.

We have never fully funded the program, in spite of the fact that we have promised ourselves that we would—thus about one-half of the women and children eligible nationwide ever get served by WIC.

Yet WIC has the strongest, bipartisan support among members of both sides of the aisle for full funding—because we know without a shadow of a doubt that WIC works!

Mr. Chairman, in April of this year GAO put out a 110-page report entitled: "Early Intervention: Federal Investments Like WIC Can Produce Savings."

The report went on to say that if we were to fund the WIC program so as to reach every eligible woman and child, over an 18 year period WIC benefits could help avoid more than \$1 billion in Federal, State, local and private payer expenditures.

In analyzing the costs and benefits of this early intervention, GAO used a framework which it developed to show that providing pregnant women, infants and children with benefits under WIC more than pays for itself within a year.

Mr. Chairman, we had hoped to fund the WIC Program at at least \$3 billion in fiscal year 1993; what we got was \$2.8 billion.

We all are deeply aware of the budgetary restraints we are laboring under this fiscal year. We try to understand why a majority of Members were not willing to knock out the firewalls in the 1990 budget so that we can spend defense or foreign aid money on at-home programs.

We also know that unemployment is still on the rise; the recession is far from over. More people are losing their jobs—and now layoffs are affecting both mothers and fathers from families of the working poor.

These people—especially pregnant women and their children—are at serious nutritional and other health-related risks because of inadequate income that does not permit the purchase of balanced diets suited for infants and children and expectant mothers. WIC provides that service—and it pays for itself within a year. I believe the return on our investment in \$3 for every \$1 spent on WIC benefits.

What is our problem?

We can't knock the firewalls out so that we can fund this kind of program?

We can't take funds that are being rescinded under the fiscal year 92 supplemental appropriations bill that are no longer needed to pay our gulf war debts—and spend a few million on the WIC program?

I'll settle for putting \$10 billion back in for deficit reduction, but couldn't we just free up the \$400 million for WIC? When compared against the backdrop of a \$400 billion deficit—doesn't \$10 billion look almost as good as \$10.4 billion when push comes to shove? Especially when it would feed and care for hungry pregnant women and children. It does to me.

Mr. Chairman, in June 1989, West Virginia was serving 29,864 women, infants, and children. The following year, West Virginia was serving 34,322; by June 1991, the number had risen to 38,505. In June of this year, the number is up to 45,000. What does this mean in terms of serving all those who are eligible and in need. It means West Virginia can fund only about 51 percent of women, infants and children who are certified as eligible and at risk in my State.

GAO's study went on to establish that the formula used to distribute WIC funds to the States does not adequately consider the number of eligible persons in the States.

This means that in some States they cannot enroll all pregnant women because they don't get enough money, while in others they enroll infants and children considered less in need of services in order to spend what they get.

West Virginia is not now able to serve any of its level 4 and 5 at-risk children. It has level 3-risk children on a 60-day waiting list, and often after the first 60 days of painful waiting have elapsed, they are again placed on a waiting list for an additional 60 days.

Mr. Chairman, just as unemployment has risen, so has the dependence upon our food assistance programs. The increase in individuals and families qualifying for food stamps is well-documented; the increase in individuals and families receiving other kinds of food services, such as school lunches and breakfasts, is well-known.

It is tragedy, Mr. Chairman to be on this floor to discuss how we are reducing the budget outlays by upwards of \$10 billion by rescinding appropriated funds for the gulf war which are now not needed to meet that debt, and feeling proud of ourselves while pregnant women and children go hungry and are more and more put at risk for every day they spend on a waiting list.

I am not proud of this day. I think we should be funding WIC so that it reaches all who are eligible for its life-giving benefits.

I will vote for the supplemental appropriations bill, for it has much good in it—it just doesn't go far enough.

Mrs. VUCANOVICH. Mr. Chairman, I rise in support of title VII of H.R. 5620, which would provide \$30 million to the Bureau of Reclamation to meet the emergency needs for States stricken by the drought. As you know, we are now facing our sixth year of drought in the West. Eight States—California, Oregon, Idaho, Utah, Montana, Washington, Nebraska, and my State of Nevada—have already been declared eligible for assistance under the provisions of the Emergency Drought Relief Act.

The funds provided in title VII will allow the Bureau to take a number of steps to mitigate the effects of the drought. The Bureau can use the funds to add wells, line canals, and improve water measurement and control devices.

The funds can also be used to fund precipitation management technology transfers. These activities were authorized in section 206 of Public Law 102-250, the Drought Relief Act. The Bureau is encouraged to fund the technology transfers that are available and that can enhance water production.

In some parts of Nevada, increased water production is the only solution possible for the water shortage. There is simply not enough water available in existing reservoirs to manage better. The farming community, as well as fish and wildlife habitats, are in peril. The Bureau should use its new precipitation management technology transfer authorities and the money appropriated in this bill to fund appropriate projects.

Ms. SNOWE. Mr. Chairman, I am pleased that the committee has been able to complete work and bring this supplemental appropriations bill to the floor so expeditiously. H.R. 5620 contains funding for programs important to many of our constituents, but particularly to those who must deal with the aftermath of a military base closing.

A large portion of the money appropriated in this bill will be used to fund environmental programs in the Department of Defense. Most urgent are two items under military construction: a \$162 million appropriation for environmental cleanup at round II closing bases, and a \$69 million transfer from the Defense environmental restoration account to the closure account for cleanup.

Loring Air Force Base in Maine is a round II facility; it is also on the Superfund national priorities list. Those of us who care about Loring always knew that hazardous waste contamination at the base could pose difficulties for redevelopment in an isolated, rural area racked by the recession. What we did not know was that funding for the cleanup project would be delayed until the eighth month of 1992, greatly exacerbating an already severe situation.

There are a couple of reasons for this extreme and inexcusable delay, but the most conspicuous is outright intransigence by the Air Force. Time after time, in letters and in personal meetings, the Maine delegation met with the most senior Air Force officials to ask for funds to keep the cleanup on schedule. They refused; they stonewalled. As a result, Loring faces up to a year long delay in the cleanup, a delay which will inhibit economic

development in the Loring area. Real people will suffer for this delay: real people at Loring and at the other contaminated bases around the country shut down in round II.

Now, with the bill before us, this body has a chance to try to repair some of this damage, and to meet our serious obligations to the families facing base closure. I regret that it has come down to an eleventh hour supplemental appropriations bill, but this is the last chance we have to abide by our commitments to clean up contaminated bases. It is our last chance to show the people facing base closure that government by the people actually does work for the people.

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

□ 1540

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered as read through page 21, line 11, and shall be considered for amendment under the 5-minute rule for 2 hours.

The text of the bill through page 21, line 11, is as follows:

H.R. 5620

*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, to provide supplemental appropriations for the fiscal year ending September 30, 1992, and for other purposes, namely:*

TITLE I

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For an additional amount for "Operations and administration", \$1,795,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

FOREIGN FISHING OBSERVER FUND

(RESCISSION)

Of the unobligated balances in the Foreign Fishing Observer Fund, \$1,309,000 are rescinded.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES

ATTORNEYS

Amounts appropriated under this title by Public Law 101-515 and available through September 30, 1992, for debt collection training, locating debtors and their property, and selling debtor property also may be used for processing and tracking debts owed to the United States Government.

DEPARTMENT OF STATE

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for "Contributions for International Peacekeeping Activities", \$80,000,000.

## THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS, AND  
OTHER JUDICIAL SERVICES

## DEFENDER SERVICES

For an additional amount for "Defender Services", \$31,250,000, to remain available until expended.

NATIONAL COMMISSION ON JUDICIAL  
DISCIPLINE AND REMOVAL

The language under the heading "Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses" in Public Law 102-27 is amended by deleting "September 30, 1992" and inserting in lieu thereof "September 30, 1993".

Notwithstanding the requirement of section 415 of Public Law 101-650 to submit the report mandated by said section not later than one year after the date of the Commission's first meeting, the National Commission on Judicial Discipline and Removal shall submit to each House of Congress, the Chief Justice of the United States, and the President, the report mandated in said section no later than August 1, 1993.

## RELATED AGENCY

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION

## SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$1,000,000, to remain available until September 30, 1993.

## TITLE II

DEPARTMENT OF DEFENSE—MILITARY  
SUPPLEMENTAL APPROPRIATIONS  
OPERATION AND MAINTENANCE  
OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and maintenance, Army", \$116,000,000, to remain available for obligation until September 30, 1992.

## OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and maintenance, Navy", \$33,000,000, to remain available for obligation until September 30, 1992.

## OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and maintenance, Air Force", \$263,000,000, to remain available for obligation until September 30, 1992.

OPERATION AND MAINTENANCE, DEFENSE  
AGENCIES

For an additional amount for "Operation and maintenance, Defense Agencies", \$69,700,000, to remain available for obligation until September 30, 1992: *Provided*, That \$50,000,000 of this appropriation shall be used to provide educational assistance related to the education of dependents of members of the Armed Forces in areas which have a significant increase in the number of such dependents as the result of relocation or realignment of Armed Forces personnel: *Provided further*, That the \$50,000,000 specified in the preceding proviso shall be made available only to supplement, not supplant, the amount of any other Federal, State, or local government funds otherwise authorized or expended for education of dependents of members of the Armed Forces: *Provided further*, That a portion of that \$50,000,000 may be made available for construction.

## ENVIRONMENTAL RESTORATION, DEFENSE

For an additional amount for "Environmental Restoration, Defense", \$447,500,000, to remain available for obligation until September 30, 1992.

## ADMINISTRATIVE PROVISION

Of the funds appropriated in the above accounts for environmental restoration and

compliance, \$730,500,000 shall be obligated and expended not later than September 30, 1992.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATIONRESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, DEFENSE AGENCIES

For an additional amount for "Research, Development, Test and Evaluation, Defense Agencies", \$7,000,000, to remain available for obligation until September 30, 1993.

REVOLVING AND MANAGEMENT FUNDS  
PENTAGON RESERVATION MAINTENANCE  
REVOLVING FUND

For an additional amount for "Pentagon Reservation Maintenance Revolving Fund", \$80,100,000.

OTHER DEPARTMENT OF DEFENSE  
PROGRAMS

## OFFICE OF THE INSPECTOR GENERAL

For an additional amount for "Office of the Inspector General", \$3,400,000.

## TRANSFER OF FUNDS

OPERATION DESERT SHIELD/DESERT  
STORM

## (TRANSFER OF ADDITIONAL FUNDS)

For additional incremental costs of the Department of Defense associated with operations in and around the Persian Gulf resulting from Operation Desert Shield/Desert Storm, and under the terms and conditions of the Operation Desert Shield/Desert Storm Supplemental Appropriations Act, 1991 (Public Law 102-28), in addition to the amounts that may be transferred to appropriations available to the Department of Defense pursuant to that Act and the Dire Emergency Supplemental Appropriations and Transfers for Relief From the Effects of Natural Disasters, for Other Urgent Needs, and for Incremental Costs of "Operation Desert Shield/Desert Storm" Act of 1992 (Public Law 102-229), not to exceed \$5,182,878,000 may be transferred during fiscal years 1992 and 1993 to then currently applicable appropriations, from either the Defense Cooperation Account, or as appropriate, the Persian Gulf Regional Defense Fund, to the following accounts in not to exceed the following amounts:

## MILITARY PERSONNEL

## (TRANSFER OF FUNDS)

## MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$1,037,261,000.

## MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$205,700,000.

## MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$20,227,000.

## MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$333,500,000.

## OPERATION AND MAINTENANCE

## (TRANSFER OF FUNDS)

## OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and maintenance, Army", \$2,383,890,000, of which \$616,500,000 shall remain available for transfer and obligation until September 30, 1994.

## OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and maintenance, Navy", \$101,000,000.

## OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and maintenance, Marine Corps",

\$433,000,000, of which \$167,000,000 shall remain available for transfer and obligation until September 30, 1994.

## OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and maintenance, Air Force", \$657,600,000, of which \$136,800,000 shall remain available for transfer and obligation until September 30, 1994.

OPERATION AND MAINTENANCE, DEFENSE  
AGENCIES

For an additional amount for "Operation and maintenance, Defense Agencies", \$10,700,000.

OPERATION DESERT SHIELD/DESERT  
STORM

## (TRANSFER OF EXISTING FUNDS)

For the purpose of adjusting amounts which may be transferred to military personnel and operation and maintenance appropriations pursuant to the Operation Desert Shield/Desert Storm Supplemental Appropriations Act, 1991 (Public Law 102-28) and the Dire Emergency Supplemental Appropriations and Transfers for Relief From the Effects of Natural Disasters, for Other Urgent Needs, and for Incremental Costs of "Operation Desert Shield/Desert Storm" Act of 1992 (Public Law 102-229) and under the terms and conditions of those Acts, the Secretary of Defense may make adjustments to the amounts provided for transfer by such Acts in amounts not to exceed \$611,010,000 and provide for the transfer of such amounts to the following accounts in not to exceed the following amounts to be available to the Department of Defense during fiscal years 1992 and 1993: *Provided*, That the Secretary of Defense shall provide prior notification to the Committees on Appropriations of the House of Representatives and the Senate indicating the accounts from which the funds will be derived for such transfers:

## MILITARY PERSONNEL

## (TRANSFER OF FUNDS)

## NATIONAL GUARD PERSONNEL, ARMY

To be derived by transfer, \$12,500,000 for "National Guard Personnel, Army".

## OPERATION AND MAINTENANCE

## (TRANSFER OF FUNDS)

## OPERATION AND MAINTENANCE, ARMY

To be derived by transfer, \$341,310,000 for "Operation and maintenance, Army".

## OPERATION AND MAINTENANCE, NAVY

To be derived by transfer, \$257,200,000 for "Operation and maintenance, Navy".

## RESCISSION OF FUNDS

PERSIAN GULF REGIONAL DEFENSE  
FUND

## (RESCISSION)

Of the funds made available under this heading in the Operation Desert Shield/Desert Storm Supplemental Appropriations Act, 1991 (Public Law 102-28; 105 Stat. 161), \$12,485,446,313 is hereby rescinded: *Provided*, That the Persian Gulf Regional Defense Fund is hereby terminated.

## GENERAL PROVISIONS—TITLE II

## (TRANSFER OF FUNDS)

SEC. 201. Section 103 of the Dire Emergency Supplemental Appropriations and Transfers for Relief From the Effects of Natural Disasters, for Other Urgent Needs, and for Incremental Costs of "Operation Desert Shield/Desert Storm" Act of 1992 (Public Law 102-229; 105 Stat. 1707) is amended by striking out "fiscal years 1991 and 1992" and inserting "fiscal years 1992 and 1993" in lieu thereof

and by striking out "through February 1992".

SEC. 202. The Secretary of Defense shall transfer, without reimbursement, five Black Hawk helicopters, together with associated spares, from the United States Army to the Drug Enforcement Administration.

SEC. 203. Section 8090 of the Department of Defense Appropriations Act, 1992 (Public Law 102-172; 105 Stat. 1193) is amended—

(1) in subsection (b) by striking out "subject to the provisions of subparagraph (c)" and inserting in lieu thereof "and shall be available only for the V-22 aircraft program";

(2) by striking out subsections (c) and (d); and

(3) in subsection (e) by striking out "(e)" and inserting in lieu thereof "(c)".

#### TITLE III

### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

#### DEPARTMENT OF LABOR

##### EMPLOYMENT AND TRAINING ADMINISTRATION ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For an additional amount for "Advances to the unemployment trust fund and other funds", \$237,652,000 to remain available until September 30, 1993.

#### GENERAL PROVISION—TITLE III

SEC. 301. Notwithstanding any other provision of law, no funds shall be expended hereafter by the Secretary of Labor to implement or administer either the final or proposed regulations referred to in section 303 of Public Law 102-27, 105 Stat. 151.

#### TITLE IV

### DEPARTMENT OF DEFENSE—MILITARY CONSTRUCTION

#### BASE REALIGNMENT AND CLOSURE ACCOUNT, PART II

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Base Realignment and Closure Account, Part II", \$162,700,000, to be available solely for environmental restoration and to remain available until expended.

For an additional amount for "Base Realignment and Closure Account, Part II", \$69,000,000, to be derived by transfer from the "Environmental Restoration, Defense" account of Public Law 102-172, to be available solely for environmental restoration and to remain available until expended.

#### TITLE V

### DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

#### DEPARTMENT OF VETERANS AFFAIRS

##### VETERANS BENEFITS ADMINISTRATION COMPENSATION AND PENSIONS

For an additional amount for "Compensation and pensions", \$500,000,000, to remain available until expended.

##### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

The limitation on direct loans in the current fiscal year for the "Vocational rehabilitation loans program account" is increased, within existing funds, by \$350,000 to not to exceed \$2,038,000.

##### VETERANS HEALTH ADMINISTRATION MEDICAL CARE

Notwithstanding any other provision of law, not less than \$8,700,000,000 of the sums appropriated under this heading in fiscal

year 1992 shall be available only for expenses in the personnel compensation and benefits object classifications.

##### TRANSITIONAL HOUSING LOAN PROGRAM ACCOUNT

##### (INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$3,000, as authorized by Public Law 102-54, section 8: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$30,000. In addition, for administrative expenses to carry out the direct loan program, \$25,000, which may be transferred to and merged with the appropriation for "Medical care": *Provided further*, That the sums herein appropriated are to be derived by transfer from the "Medical care" appropriation provided in Public Law 102-139.

##### DEPARTMENTAL ADMINISTRATION

##### GENERAL OPERATING EXPENSES

For an additional amount for "General operating expenses", \$14,100,000, to remain available until September 30, 1992.

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### HOUSING PROGRAMS

##### ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

The unreserved balances of funding provided under this heading in Public Law 102-139 and prior years for contracts for capital advances, including amendments to contracts for capital advances, and for project rental assistance, and amendments to contracts for project rental assistance, for housing for the elderly as authorized by section 202 of the Housing Act of 1959, as amended, and for housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), shall be merged.

##### ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8

##### SUBSIDY CONTRACTS

##### (TRANSFER OF FUNDS)

For an additional amount of up to \$407,000,000, to remain available until expended, and to be derived by transfer from the unreserved amounts in "Annual contributions for assisted housing": *Provided*, That the amount earmarked for amendments to section 8 contracts other than contracts for projects developed under section 202 of the Housing Act of 1959, as amended, shall be reduced accordingly.

##### PAYMENTS FOR OPERATION OF LOW-INCOME HOUSING PROJECTS

##### (INCLUDING RESCISSION OF FUNDS)

Of the amount made available under this heading in Public Law 102-139, \$250,000,000 is rescinded: *Provided*, That the \$294,156,000 under this heading in the aforementioned Act which is not available until September 20, 1992, shall be reduced by \$250,000,000 to \$44,156,000.

For an additional amount for "Payments for operation of low-income housing projects", \$250,000,000, to remain available until September 30, 1993: *Provided*, That these funds shall be available for obligation without regard to section 9(d) of the United States Housing Act of 1937, as amended: *Provided further*, That these funds shall not become available for obligation until September 20, 1992.

##### POLICY DEVELOPMENT AND RESEARCH

##### RESEARCH AND TECHNOLOGY

##### (INCLUDING RESCISSION OF FUNDS)

Of the amount made available under this heading in Public Law 101-507, the \$500,000 earmarked for the National Commission on Manufactured Housing in Public Law 102-27, is rescinded.

For an additional amount for "Research and technology", \$500,000, to remain available until September 30, 1993: *Provided*, That these funds shall be made available for the National Commission on Manufactured Housing.

##### INDEPENDENT AGENCIES

##### CONSUMER PRODUCT SAFETY COMMISSION

##### SALARIES AND EXPENSES

Notwithstanding any other provision of law, not more than \$405,000 of the funds provided under this heading in Public Law 102-139 shall be available for personnel compensation and benefits for the Commissioners of the Consumer Product Safety Commission.

##### COURT OF VETERANS APPEALS

##### SALARIES AND EXPENSES

##### (INCLUDING RESCISSION OF FUNDS)

Of the amount made available under this heading in Public Law 102-139, the \$950,000 earmarked for financial assistance for legal representation costs in Public Law 102-229, is rescinded.

For an additional amount for "Salaries and expenses", \$950,000, to remain available until September 30, 1994: *Provided*, That these funds shall be available under the same terms and conditions as authorized for the funds under this heading in Public Law 102-229.

##### ENVIRONMENTAL PROTECTION AGENCY

##### ABATEMENT, CONTROL, AND COMPLIANCE

Notwithstanding any other provision of law, the Administrator is authorized to award a grant under section 8001 of the Solid Waste Disposal Act, as amended, for the purchase of a building and associated costs to support a program for the environmental restoration of the Lackawanna Valley as described in House Report 102-226, the conference report accompanying H.R. 2519 (Public Law 102-139).

##### NATIONAL COMMISSION ON SEVERELY

##### DISTRESSED PUBLIC HOUSING

##### SALARIES AND EXPENSES

##### (TRANSFER OF FUNDS)

For an additional amount for "Salaries and expenses", \$250,000, to remain available until expended, and to be derived by transfer from amounts provided to the Department of Housing and Urban Development under the heading "Research and technology" in Public Law 102-139.

#### TITLE VI

### DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

#### DEPARTMENT OF AGRICULTURE

##### COMMODITY CREDIT CORPORATION

The item relating to the "COMMODITY CREDIT CORPORATION" under the heading "DEPARTMENT OF AGRICULTURE" in chapter III of title I of the Dire Emergency Supplemental Appropriations and Transfers for Relief From the Effects of Natural Disasters, for Other Urgent Needs, and for Incremental Cost of "Operation Desert Shield/Desert Storm" Act of 1992 (Public Law 102-229; 105 Stat. 1712) is amended by inserting

after "provided to the producer" in the third proviso the following: ", and may be available for grants to assist low-income migrant and seasonal farmworkers as provided in section 2281 of the Food, Agriculture, Conservation, and Trade Act of 1990 (42 U.S.C. 5177a)".

## TITLE VII

ENERGY AND WATER DEVELOPMENT  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
CONSTRUCTION PROGRAM

For an additional amount for "Construction program" to meet the emergency needs for areas stricken by drought, \$30,000,000, to remain available until expended: *Provided*, That this amount shall be available only to the extent an official budget request, for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 is transmitted to the Congress: *Provided further*, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE VIII

DEPARTMENT OF TRANSPORTATION  
AND RELATED AGENCIES  
DEPARTMENT OF TRANSPORTATION  
UNIVERSITY RESEARCH INSTITUTES

Section 11(c)(6) of the Federal Transit Act (49 U.S.C. App. 1607c(c)(6)) is amended by adding at the end the following new sentence: "For fiscal year 1992, the Secretary shall expend from administrative and research funds deducted for such fiscal year under section 104(a) of title 23, United States Code, \$1,000,000 for making grants under paragraph (3) to North Carolina A. and T. State University through the Institute for Transportation Research and Education and shall use all amounts appropriated for such fiscal year pursuant to this paragraph to carry out paragraph (3) for making grants to the University of South Florida and a consortium of Florida A and M, Florida State University, and Florida International University."

The CHAIRMAN. Within the 2-hour period, debate on title III and any amendments thereto may not exceed 30 minutes. If the 2-hour period is exhausted, the disposition of any questions then pending and the reading of the last two lines of the bill shall constitute the conclusion of consideration of the bill for amendment.

Are there any amendments to the bill?

## AMENDMENT OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: On page 19 of the bill, after line 19, add the following:

SOIL CONSERVATION SERVICE  
WATERSHED AND FLOOD PREVENTION  
OPERATIONS

For an additional amount for "Watershed and flood prevention operations" to meet the needs of the emergency watershed protection program, \$7,500,000, to remain available until expended.

Mr. NATCHER. Mr. Chairman, I reserve a point of order on this amend-

ment in order to ask the gentleman from Kentucky a question or two pertaining to the \$7,500,000.

Mr. Chairman, will the gentleman yield for that purpose?

Mr. ROGERS. Mr. Chairman, I am delighted to yield to the gentleman from Kentucky.

Mr. NATCHER. Mr. Chairman, I would like for the gentleman from Kentucky to answer a question pertaining to the \$7.5 million.

Is this money, \$7.5 million, only to apply to flood control and soil conservation in the Department of Agriculture?

Mr. ROGERS. That is exactly the case, Mr. Chairman.

Mr. NATCHER. The \$7.5 million would then, if the amendment is accepted and the amendment passes, go into the national program and be subject to expenditure and subject to other requests that are now pending; is that correct?

Mr. ROGERS. That is correct, Mr. Chairman.

Mr. NATCHER. And it would not be directed just to the State of Kentucky?

Mr. ROGERS. Not at all, that is correct, Mr. Chairman.

Mr. NATCHER. Mr. Chairman, I say to the gentleman from Kentucky, I think in fairness to all the Members we should have this understanding. This is necessary.

Mr. Chairman, with that understanding and that explanation, we have no objection to this amendment on this side.

Mr. Chairman, I withdraw my reservation of a point of order.

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

Mr. ROGERS. I yield to the gentleman from Pennsylvania.

Mr. McDADE. Mr. Chairman, I want to applaud my colleague, the gentleman from Kentucky [Mr. ROGERS] for addressing in a very expeditious manner a critical situation affecting people of the Nation who are suffering from unforeseen disaster effects.

I think that the House owes the gentleman a debt of gratitude for addressing the issue.

We are, of course, pleased to accept the amendment on this side of the aisle and we congratulate the gentleman for it.

Mr. ROGERS. Mr. Chairman, I thank both gentlemen for their comments.

Let me just briefly explain what the amendment does.

Mr. Chairman, this amendment adds \$7,500,000 to the Emergency Watershed Program within the Department of Agriculture's Soil Conservation Service. I believe it has been cleared by the chairman of the Appropriations Committee; the gentleman from Kentucky; the gentleman from Pennsylvania, the ranking minority member of the full Appropriations Committee; and the gentleman from New Mexico, the rank-

ing minority member of the Agriculture Subcommittee.

Mr. Chairman, the Emergency Watershed Program is a nationwide program which protects communities from the imminent damages which nature can inflict on unstable watersheds. The program has run out of funds for this year, and a backlog of very serious emergencies currently exists.

Mr. Chairman, the Emergency Watershed Program is used throughout the country to address serious national needs related to repairing damages to watersheds caused by floods. In the 1992 appropriations bill we provided \$20 million which has all been obligated. Severe flood damage in some years have required additional supplemental appropriations. In 1986, serious flooding caused the Congress to provide over \$79 million and in 1990, over \$94 million was needed for this activity. The increase of \$7.5 million in this supplemental is needed for the most critical repairs related to health and safety.

A number of States have projects which are eligible for this funding, and some of these States face extremely serious exigencies, such as Vermont, Virginia, Puerto Rico, Kentucky, and Mississippi.

My amendment adds funding to the amount already provided in the regular 1992 Agriculture Appropriations Act, so that this backlog can be addressed.

It is also offered in response to the unthinkable tragedy which occurred this past Friday evening in Clay County, KY, in my congressional district.

During a torrential flash flood, the people of the Barcreek community were completely uprooted by a devastating rainstorm. Nine homes were completely destroyed and 13 others were damaged.

Most sadly, the waters ripped a new home completely off its foundation, drowning a young mother and three children.

Nothing we do today can bring relief to the relatives of those who were lost; and we are only in the early stages of taking full stock of the damages, so we can coordinate help to the survivors.

It is clear, however, that these rains have done permanent damage to the watershed, and that immediate attention is needed to stabilize the area. The rains continued into yesterday, and the remaining homeowners are in serious jeopardy.

The Emergency Watershed Program was created to address this kind of situation. Unfortunately, however, the funding provided for this year has been completely expended. And it is imperative that we provide additional funding to deal with exigencies of the highest nature.

I appreciate the help and understanding of the chairman of the Committee and the Agriculture Subcommittee, the gentleman from Mississippi, without whom, we would be without an effec-

tive Emergency Watershed Program. I want to especially thank him, and the gentleman from New Mexico, for working with me on this amendment.

I urge adoption of the amendment.

Mr. NATCHER. Mr. Chairman, on this side, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROGERS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STENHOLM

Mr. STENHOLM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STENHOLM: On page 12, Strike lines 12-17.

The CHAIRMAN. Under the rule, debate on this amendment may not exceed 30 minutes. The Chair will divide the time between the gentleman from Texas [Mr. STENHOLM], 15 minutes, and the gentleman from Michigan [Mr. FORD] 15 minutes.

The Chair recognizes the gentleman from Texas [Mr. STENHOLM].

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

Mr. Chairman, I did not want to be here taking the time of the House today. I wish I did not need to be here. We ought not to be discussing Davis-Bacon on an appropriations bill at all. Unfortunately, the Appropriations Committee has decided to include a legislative rider regarding the Davis-Bacon Act in the supplemental appropriations bill.

When I testified before the Rules Committee, I was asked what this rider was doing in this appropriations bill. I could not answer that question, because this provision has no business being in this bill. But it is so, let us talk about it.

First, let us talk about money. Last week, we voted to accept a rider to the interior bill that dramatically increased grazing fees because the sponsors of the amendment claimed that it would save the taxpayers \$150 million this year. Even if you agree with that estimate, which I do not, my amendment would save four times as much. So if you voted for increasing grazing fees on Wednesday night, you already have four times as much reason to vote for my amendment. If you truly care about saving money and making the Government more efficient, vote for my amendment. According to CBO the helper regulations will reduce the cost of Federal construction by approximately \$819 million in budget authority and \$137 million in outlays in fiscal year 1993. Once the regulations are fully implemented, they will result in savings of approximately \$600 million a year. Over the next 5 years, they will result in savings of nearly \$2.3 billion.

Last month, this body narrowly defeated the balanced budget amendment. Those who opposed the balanced budget amendment claimed that we do

not need a balanced budget amendment to reduce the deficit. Now, many of these same people want to tell the Department of Labor that they can't save money by updating obsolete, inefficient work rules.

This rider would overturn regulations issued by the Department of Labor allowing the use of semiskilled helpers on contracts subject to the Davis-Bacon Act. These regulations have been developed over the last 10 years through a painstaking and thorough process. They have passed every conceivable court test. The courts have repeatedly held that the regulations are consistent with the intent of the Davis-Bacon Act. On April 12 of this year, the U.S. district court of appeals ruled that there was no argument left as to why they shouldn't be effective.

The regulations reflect changes in the construction industry since the passage of the act in 1931. The utilization of helpers was virtually nonexistent in 1931, but has become a widespread practice in private construction. Today, about 75 percent of the construction industry uses helpers for semiskilled and unskilled tasks to assist a variety of skilled craftsmen on private contracts. The regulations are consistent with the intent of the Davis-Bacon Act—that Federal contracts should reflect the local market and that the Federal Government should not use its power to impose a wage structure on local markets.

Without the regulations, contractors who want to compete for Federal contracts have outdated work rules imposed on them. For example, the same unskilled worker must be classified as a journeyman carpenter to carry lumber one day and reclassified—with all the attendant paperwork—as a journeyman plumber to carry or hold pipe the next day. Thus, labor is allocated inefficiently, costs rule, and semiskilled workers are denied entry-level jobs. These regulations will make it possible for small and minority contractors to compete on Federal contracts.

Allowing the use of helpers would open up job opportunities to those most in need of help up the first rungs of the economic ladder: Minority, women, disadvantaged, displaced, and entry-and-training-level workers. These regulations will result in significant job creation in the construction industry.

Mr. Chairman, we should not make a legislative change of this magnitude in a rider slipped into an appropriations bill without any hearing or significant debate. The House should deal with the issue of Davis-Bacon in the proper way—in authorizing legislation. The Education and Labor Subcommittee on Labor Standards has held a hearing on the issue of Davis-Bacon reform and has scheduled a markup of a Davis-Bacon bill on August 4. Any changes in

the Davis-Bacon Act should be made in the context of authorizing legislation. Last year, when the House considered a similar rider, I urged the Education and Labor Committee to bring Davis-Bacon legislation to the floor. Chairman BILL FORD said on the floor of the House at that time that "We will do our best to accommodate the gentleman from Texas by giving him a forum to argue Davis-Bacon in the proper forum on an authorizing bill." It has been over a year since then, and we are still waiting for an authorization bill to come out of subcommittee. We should return this issue to the place it belongs—the authorizing committee.

Mr. Chairman, a vote for my amendment is a vote to create jobs, increase competition in Federal contracting and save the taxpayers \$600 million. I urge my colleagues to strike this legislative rider from the bill, and to vote against this bill if the rider stays in it.

Mr. FORD of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from St. Louis, the gentleman from Missouri [Mr. CLAY].

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

Mr. Chairman, I rise in opposition to the amendment and in support of the supplemental appropriations bill. I strongly commend the authors of that legislation for including language to prohibit the Department of Labor from implementing Davis-Bacon regulations that undermine our Nation's apprenticeship programs.

The regulations the Bush administration are seeking to implement are an affront to our work force. Their effect is to undermine the wages and standard of living of workers. These regulations effectively abolish State apprenticeship councils and preempt the ability of States to establish apprenticeship standards or effectively regulate apprenticeship programs. In effect, the Bush administration is prepared to ignore principles of federalism and jettison a 44-year-old shared relationship between the States and the Federal Government governing the regulation of apprenticeship programs.

The proposed regulations have consequences beyond their immediate impact on apprenticeship programs. These regulations encourage the use of unskilled and semiskilled workers at the expense of skilled journeymen workers. The regulations eliminate the primary incentive for contractors to participate in the formal training programs necessary to ensure that unskilled and semiskilled workers become qualified skilled craftsmen. Far from enhancing opportunities for women and minorities, these regulations ensure they will remain mired in the lowest paid, least skilled positions without hope of progressing to the skilled jobs they have traditionally been denied.

On two previous occasions, the Congress has acted to prevent the Department of Labor from implementing this misguided policy. Acting now to permanently prohibit the implementation of these regulations preserves and enhances the skills of our citizens, and reiterates congressional concern for the rights and welfare of American workers. I urge that the language prohibiting the implementation of the Davis-Bacon helper regulations and proposed new apprenticeship regulations be retained.

Mr. Chairman, I urge that the amendment be defeated.

□ 1550

Mr. STENHOLM. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. I thank the gentleman for yielding this time to me.

Mr. Chairman, I, along with my colleague from Texas, am very saddened we are having to debate this in the manner that we are. Fifteen minutes on our side to talk about something that means jobs to the most disadvantaged, jobs for minorities, is not enough.

My goodness, how many times have we talked in this Chamber about creating jobs and that we were going to invest in America? Yet here we have a provision that is going to stop people from getting into entry-level jobs as helpers. It just boggles my mind.

And we are doing it without any knowledge of the membership. I doubt there are very few Members out there who understand what is about to happen when we take this vote.

Mr. Chairman, helpers are semi-skilled workers, working under the direct supervision of higher skilled journeyman workers. The helper classification creates jobs for lower skilled workers, providing immediate employment and potential steps up the ladder.

We have been at this for 10 years through the courts and have exhausted the courts, and the courts have said, "You can have helpers." The Department of Labor is not going to make a ruling until they get an agreement with the unions.

Yet here we have a back door attempt by the unions to shut down jobs to the most disadvantaged.

Let me remind Members of the history of Davis-Bacon. Davis-Bacon was passed to stop blacks from coming up north and taking jobs from construction workers in the north.

In a quote during the floor debate on the Bacon bill by Representative Allgood, a strong supporter of the bill, he stated:

Reference has been made to a contractor from Alabama who went to New York with bootleg labor. That is a fact. That contractor has cheap colored labor that he transports, and he puts them in cabins (rail cars), and it is labor of that sort that is in competition with white labor throughout the country.

Is this the situation we see ourselves in today? I don't believe it is.

Once again we are seeing an attempt to keep disadvantaged laborers, many of them minorities, from getting into entry-level jobs.

It has been estimated by the Department of Labor that 250,000 jobs could be created through the revised regulations. The gentleman from Texas already talked about the money that we can save, but this is just incredible to me that you would want to stop the people from getting into these construction jobs because of some labor attempt to stop the people from competing for those jobs. It is just amazing to me.

Under the Davis-Bacon Act, helpers are used only when it is the locally prevailing practice.

In comparison, in the private sector, more than 75 percent of all construction workers are preferred by contractors who use semiskilled laborers.

Vote for jobs, vote for the Stenholm motion to strike.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to start by saying to the gentleman from Texas [Mr. STENHOLM] that I indeed, as new chairman of the Committee on Education and Labor, promised him last year, that I would do everything I could to give him a forum to legislate on Davis-Bacon the way it should be legislated on.

If there is anybody in the House who thinks that we have not brought enough labor legislation out since I have been chairman of the committee, I do not think you will find any of the Republican members of my committee who would agreed with that.

I have been probably the most active mover of labor legislation that has chaired that committee for a long time.

The gentleman has not been happy with very much of what I brought out of the committee. I am sure he is not going to be real happy with what we are going to bring out on Davis-Bacon. But I am informed by my subcommittee—and I defer to my subcommittee chairman on their pace of what is reasonable, their working with the Republicans on the committee—as a way to move the legislation.

Now, I am informed that on next Tuesday the subcommittee will mark up a bill.

Now, I will make a promise that goes beyond that: If my subcommittee does not mark up the bill next Tuesday, at the next regular meeting, I will entertain a motion by any member who wants to make it or find one to make it if there is not any there, that we discharge the subcommittee from further

consideration of the Davis-Bacon Reform Act and take it out and report it out here.

The gentleman from Texas [Mr. STENHOLM] is going to have a shot at Davis-Bacon before the next election.

Frankly, for the Members on my side of the aisle on the committee, they would like another shot at the Stenholm amendments before the next election.

So there is no reluctance on our part to give the gentleman his day in court.

Let me remind you why this is happening. Let us not stand things on their head.

The language that is in the appropriations bill is something that we approve of, even though it is legislation, because we do not have any other way to avoid what could be a disastrous confusion across this country.

The Labor Department has been heck-bent—it is even hard for me to say—on changing the helper provisions and the apprentice provisions of the law with an interesting sort of theory.

Now, the argument came from one of you gentlemen from Texas that we ought to let them do this because it will provide more jobs. What it will provide is more subwage jobs for untrained people. What the apprenticeship program has been doing throughout its history in this country is providing a methodology for the training of people to be journeyman construction workers. And we have gone through a good deal of the history, the modern history of this country, with the best construction workers in the world. And that is evidenced by the number of times that American construction companies have taken that trained work force that is the result of the apprenticeship program to other parts of the world to be world beaters in new building technology.

Now to suggest that you ought to put somebody on the top of a 50-story iron framework to build a building, with no training and no apprenticeship experience, just because it is cheaper to put them up there, is in my mind penny-wise and pound-foolish.

Really, what is being raised in this discussion by the gentleman from Texas is a different consideration that sooner or later we are going to have to face in this country. Do you want to say to the American people that we should continue to create dead-end, low-paying jobs? Or do you want to say to the American people that we should augment our past efforts to create well-paying jobs for as many people as possible and maintain the well-paid jobs for as many people as possible?

In other words, do you want a work force for the future in this country that gives us a viable middle class? Or do you want this country to be competing with other countries for the unskilled, low-skilled, bottom-of-the-heap, substandard-wage jobs that

would be provided by Labor Department's approach?

□ 1600

Now are we here legislating Davis-Bacon? No. What we are here doing is saying that we do not want the Labor Department to relegislate by regulation.

I have heard Members from the Republican side of the aisle, since I first arrived here, railing against pointy-headed bureaucrats, as George Wallace used to call them, legislating by regulation, and the pointy-headed bureaucrats are at it at the Labor Department. Now they have been trying to legislate Davis-Bacon by regulation. We want to legislate Davis-Bacon properly.

This House did, in fact, with the help of the gentleman from Texas, pass amendments to Davis-Bacon, but they were unfortunately attached to the armed services reauthorization bill, where we do not dominate the conference, and they were dropped in the conference with the House and Senate. In 1991, March 7, this House had a similar amendment before it and voted by 244 to 173 to tell the Labor Department, "Don't legislate by executive fiat. Wait until we have a chance to legislate."

Now I want to tell my colleagues that a bill that has been on the books since Herbert Hoover signed it in 1931 has been amended very few times, and I do not think it is quite fair for him to look to me and my committee and say that a 1-year delay in being able to fulfill our promise to the gentleman from Texas that he will have a shot at the whole bill on the floor is an inordinate time to wait, and I will accept such criticism as the gentleman deems to be fair about my failure, as an advocate of labor legislation, to bring enough labor legislation to this floor, and I will guarantee that everything that can be done within the rules of my committee and at the pleasure of a majority of that committee will be done to present the gentleman from Texas and all others who wish to be heard to have an opportunity for a full and open debate on what the future of Davis-Bacon ought to be.

Let me close by just pointing out one mistake that I hear as I walk around the floor. My friends from the National Federation of Independent Business might be disappointed if I vote against the gentleman's amendment. Now I am told about how many small businessmen in this country are constructing buildings with federally appropriated funds. Davis-Bacon does not tell private industry how to spend its money. Davis-Bacon says, "You must spend U.S. Government money, and, if you don't get any Government money, you don't have to comply with Davis-Bacon."

I say to my colleagues, "If you think Davis-Bacon is overburdened, then

don't take the Government handout. Build it with private capital. That's the easy and complete way you escape all the provisions."

Finally, Mr. Chairman, let me observe this: That if we do not withhold the authority of the Labor Department to put into place regulations that really undercut the apprenticeship program, we will find that many States that have apprenticeship programs already in place will be preempted by a Labor Department regulation.

Now the gentleman lamented the fact that there have not been hearings and so on. There have been no hearings that I am aware of where it has been recommended that the Labor Department should preempt statewide programs that are already in existence, and that would be one of the effects.

If this language in the appropriation bill is not adopted and does not become law, and they go ahead at the Labor Department, we will come along later with the permanent legislation, which I predict will pass both the House and Senate, and it will be signed into law because that has been the pattern with both Democrat and Republican commissions over the whole life of Davis-Bacon. If we do that, however, and there is a time lapse in between, I can only ask my colleagues to guess at the kind of confusion we will cause across this country with States that are trying to do the right thing, not knowing whether they are doing the right thing or not and not knowing whether they should continue to put their efforts into an apprenticeship program to develop more skilled workers. I frankly do not think that what this country needs is more minimum wage, low-skilled workers. What this country needs is better skills for its workers so that they can properly command a better middle-class standard of living.

Mr. Chairman, that is really what is at stake in this whole thing. The whole principle of Davis-Bacon was not, as the gentleman suggested when he held himself out as a defender of minorities, to prevent black workers from coming from the South to the North. The whole purpose was not to use the people's money to go into any community anyplace in the country and depress wages by dumping Government money in there to do it.

Now the wage that Davis-Bacon requires in my district is not the wage that would be required in the district of the gentleman from Texas [Mr. DELAY] or in the district of the gentleman from Texas [Mr. STENHOLM]. I presume, without having checked them, they would have to pay higher wages for Government work in my district than they would in theirs, but it is the prevailing wage of what the local economy is paying that determines the level, and it keeps the Federal Government from going in there and, with its heavyhandedness of a big building

project, upsetting all of the local established relationships between contractors, construction people and their workers.

That is exactly what brought Davis-Bacon in the first place. It was a major, the biggest, single contract, Federal contract, for construction in New York between World War I and World War II. It was that humongous veterans hospital, and I think it is on what they call Welfare Island or Roosevelt Island. I am not that familiar with New York City. But the contractors in New York who found themselves undercut by strangers coming in and bidding against them went to Davis-Bacon, to Republicans, and they, in 1929, passed their act, and it did not get through both Houses in the conference. They came back in 1931 and passed it again, and President Hoover, looking forward to the next election, I am sure, and the support of the construction industry, signed it into law.

Mr. Chairman, in my capacity as chairman of the Committee on Education and Labor, the committee with exclusive jurisdiction over the Davis-Bacon Act and apprenticeship training, I strongly oppose the amendment by the gentleman from Texas [Mr. STENHOLM]. The gentleman proposes to strike from the bill the Murtha amendment, which prohibits the Secretary of Labor from implementing regulations changing the application of the Davis-Bacon Act and the operation of the Federal apprenticeship training system. The regulations are contrary to the basic premises of their respective enabling statutes and would undercut standards that protect the livelihoods of construction workers and foster employment opportunities in the construction industry.

Mr. Chairman, this debate should not even be taking place. On two previous occasions in the 102d Congress, we have rejected attempts to protect ill-advised, backdoor legislating by the Department of Labor. On March 7, 1991, the Congress voted by 244 to 173 a permanent denial of funding to the Secretary of Labor to implement the new Davis-Bacon helper regulations and proposed apprenticeship regulations. However, despite explicit congressional intent, on April 21, 1992, the U.S. Court of Appeals for the District of Columbia ruled that the regulations could take effect. Thus, the gentleman from Pennsylvania [Mr. MURTHA] has amended the bill before us to reiterate congressional intent to permanently ban on funding to implement these two sets of regulations.

The last time this matter was before the House, I emphasized that the regulations were inappropriate because they would effect fundamental programmatic changes that "should be addressed only in the context of Davis-Bacon authorization legislation." Nothing has occurred in the last year to alter this conclusion.

In the 100th Congress the Committee on Education and Labor reported a comprehensive bill to reform the Davis-Bacon Act. Included in the bill was a specific provision that governed the helpers classification. That legislation was adopted by the House as part of the Department of Defense authorization. Un-

fortunately, the Davis-Bacon amendments were deleted in the House-Senate conference.

The Davis-Bacon helper regulations at issue here will depress wages in the construction industry, cause job losses as contractors substitute lower paid helpers for laborers, and jeopardize construction quality by enabling the employment of semiskilled or unskilled helpers to perform work previously done by skilled workers.

The proposed apprenticeship regulations have raised concerns in several critical areas. Chief among them are the setting of a 2-year minimum term for an apprenticeship program which is not compatible with or in concert with the needs of apprenticeship programs in the construction industry; elimination of a minimum hourly training requirement, which would be counterproductive, particularly where rapid technology changes require expanded training; and interstate portability of apprenticeship program registration which will encourage employers with standard programs to seek out the State with the least stringent approval policy. These are only the most controversial provisions in the regulations. As a whole, the regulations will totally disrupt the current apprenticeship system and cause a reduction in the quality of training in the construction industry.

What's fundamentally at stake is the standard of living of construction workers in our country. The administration is pursuing a wage-busting strategy, driven by the simple-minded notion that construction work would be cheaper if the workers were paid less. Their way of paying less is to substitute low-paid helpers for higher-paid laborers and journeymen.

To some in the Labor Department there's no difference between a journeyman and a helper, except that the helper gets a lower wage. President Bush just doesn't respect the time, experience and learning—the skill—that a journeyman card represents. He and his Labor Department don't understand or respect the value of a skilled tradesman's work and the difference in quality that training and experience make. They don't understand the connection between high wages and high skills; they just don't get it.

If the Labor Department succeeds in doing away with journeyman to helper ratios, the quality of federally funded construction will inevitably fall. The projects will inevitably be more dangerous as less trained helpers substitute for skilled journeymen.

And ultimately, the respect for skills and quality work that has always characterized the American construction industry will be undermined, as journeymen find it harder to find employment at compensation commensurate with their skills.

The Department of Labor went ahead with the Davis-Bacon helper regulations despite the clear and emphatic expression of congressional opposition through the defeat of two separate amendments which sought to clear the way for their implementation. Similarly, the Department of Labor is flying in the face of expressed congressional opposition by seeking to finalize the proposed apprenticeship regulations.

I urge my colleagues to vote down the Stenholm amendment in order to reiterate the ad-

ministration that it must recognize that authorizing legislation is the only appropriate means of effecting fundamental changes in the operations of the Davis-Bacon Act. As before, I support the Murtha amendment because it protects the legislative prerogative in this important area.

I have joined with my colleague, the gentleman from Pennsylvania [Mr. MURPHY], in sponsoring a comprehensive Davis-Bacon reform bill, H.R. 1987. The bill is almost identical to the bill approved by the House in the 100th Congress. Mr. MURPHY has scheduled the bill for markup by the Subcommittee on Labor Standards, which he chairs, on August 4. The gentleman from Kentucky [Mr. PERKINS] chairs the Subcommittee on Employment Opportunities, which has jurisdiction over apprenticeship programs. I am sure he will have some comments on that issue.

I have stated my position on these matters before, in the context of opposing amendments that would have allowed the Department of Labor to proceed with these ill-conceived regulations. I would like to reiterate my position for the record. Those who advocate changes in the fundamental framework of important labor laws should demonstrate the need and justification for major operational changes in the proper legislative forum.

I urge my colleagues to support the Murtha amendment contained in the supplemental appropriations bill and vote "no" on the Stenholm amendment.

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

Mr. FORD of Michigan. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I ask the gentleman, "Wasn't that for an emergency situation 60 years ago?"

Mr. FORD of Michigan. Absolutely, not because Davis-Bacon—

The CHAIRMAN. The time of the gentleman from Michigan [Mr. FORD] has expired. The gentleman from Texas [Mr. STENHOLM] is the only member who has time remaining.

Mr. STENHOLM. Mr. Chairman, I yield 2½ minutes to the gentleman from North Carolina [Mr. VALENTINE].

Mr. VALENTINE. Mr. Chairman, I rise in favor of the Stenholm motion to strike. The rule waived a point of order against language in H.R. 5620, the supplemental appropriation for fiscal year 1992, that would legislate a permanent ban on helper reform regulations.

Another supplemental appropriation, another chance for those who wish to increase the scope of Davis-Bacon to circumvent the legislative and judicial process and restrict the administration's ability to cut costs in Federal construction projects.

If we are going to quote, reform, close quote, the Davis-Bacon requirements, we should support Mr. STENHOLM's reform proposal which would save over \$500 million a year.

This is another example of legislating on a spending bill. I do not believe we should be discussing this contentious legislative issue during a debate on an appropriations bill. The most in-

sidious part of the language currently in the bill is that its effects will be felt long after the moneys that are appropriated in this bill are spent.

As I said in March 1991, every other significant Davis-Bacon provision to come to the floor in the last decade—whether already in a committee bill or in a floor amendment—and whether proposed by Davis-Bacon reformers or apologists—has come with an opportunity for full debate and an opportunity for the other side to offer an alternative. I believe an appropriations bill is the wrong forum for this battle.

Given a choice, I would raise a point-of-order against the Davis-Bacon legislation on this bill. Since the rule denied that choice, I believe it is imperative that both sides of the issue have a chance to have their views debated.

To those 284 Members who voted in favor of the balanced budget amendment, a vote against the rule, and if that fails, a vote for the Stenholm motion is a vote to attack the debilitating deficit we face daily.

Mr. STENHOLM. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I rise today in strong support of the Stenholm amendment, and I commend my friend from Texas for offering it on the floor today. As a member of the Appropriations Committee, I am very disturbed by the breach of process that allowed this Davis-Bacon helper provision to make it into this bill. That's reason enough to support Mr. STENHOLM's amendment. Members of the Appropriations Committee were not made aware this controversial provision would be added to the supplemental appropriations bill. In fact, we were all preparing to debate its merits when the Labor-HHS bill was considered a couple of days later.

But let's look at the substance of this provision. The prohibition against implementing helper regulations contained in this bill will increase Federal construction costs by \$600 million. It will reduce Federal contracting opportunities for small and minority contractors, and stifle job creation in the construction industry across the Nation.

To illustrate how this will happen, it is worth revising the words of the noted economist, Henry Hazlitt. Written decades ago, the numbers are different, but the truth is universal and eternal:

The first thing that happens, for example, when a law is passed that no one shall be paid less than \$106 for a 40-hour week is that no one who is not worth \$106 a week to an employer will be employed at all. You cannot make a worker worth a given amount by making it illegal for anyone to offer him anything less. You merely deprive him of the right to earn the amount that his abilities and situation would permit him to earn, while you deprive the community even of the moderate services he is capable of rendering.

By setting the wage on Government contracts, and not allowing anyone to bid to do the work for less, we are consciously passing up the opportunity to save taxpayer dollars, while suppressing local employment opportunities. Most important, we deprive new entrants an opportunity to enter the market, to learn a trade and gain experience. Ironically, we do this at a time when we are desperate to reduce spending and create jobs.

There are some in this House who believe the Davis-Bacon Act is the best way to ensure high wages on Government awarded contracts. It does that alright, but only at the cost of reducing jobs and training opportunities and by reducing the number of much needed infrastructure projects that can be undertaken. Raising wages by Government fiat is the wrong way, the worst way, to prime the pump.

The helper classification which would be prohibited by this bill creates jobs for lower skilled workers—providing immediate employment and a way to get on the first rung of the job ladder. It is estimated that 250,000 jobs will be created annually by the Department of Labor's revised regulations. In the private sector, more than 75 percent of all construction work is performed by contractors who use semiskilled helpers.

Mr. Chairman, it is beyond me to understand why this body, that has extended unemployment benefits three consecutive times over the last 18 months, refuses to pass legislation that would actually create jobs and save taxpayer dollars. As a member of both the Appropriations and Budget Committees, I am mystified again and again by the lack of foresight and leadership shown on economic policy in this House.

I urge passage of the Stenholm amendment.

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Mr. STENHOLM. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. GUNDERSON].

Mr. GUNDERSON. Mr. Chairman, I also support the Stenholm amendment to strike. If it is wrong to legislate on an appropriations bill, it is doubly wrong to legislate on a supplemental appropriations bill. If it is wrong, or even right, to have a 1-year ban on the promulgation of rules, you have got to admit that it is wrong to have a permanent ban on the promulgation of rules.

I do not care whether one is dealing with apprenticeship or helpers. On the helper issue I would like to say these are all union jobs that could be protected. The reality is if you do not allow this to exist, what is going to happen is you are going to have more nonunion contractors out there, not less.

Twice in Federal court and now in the appellate court the second time there have been efforts to prevent

these rules from moving forth. Both times in the courts they have ruled against that.

Second, let us take a look at the apprenticeship laws. We in the committee are going to bring a bill out here to amend the ERISA as it affects apprenticeship in the very near future. By that we admit the apprenticeship laws in this country need modification. We are going to have schoolwork apprenticeship programs. The apprenticeship programs in this country are no manpower program at all. We have got to change them. We ought to move to strike.

Mr. STENHOLM. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. HENRY].

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

Mr. Chairman, I rise in strong support of the Stenholm amendment. How ironic that in this legislation, where we are including over \$230 million to advance funds to the unemployment trust funds, we are at the same time including provisions which frustrate the establishment of 250,000 new jobs in the construction industry.

Mr. Chairman, let us listen to our county commissioners and the National Association of Counties who urge support and passage of this amendment; let us listen to our leaders in our cities, to the National League of Cities, which supports passage of this amendment; let us listen to our school boards and our school superintendents which through the National School Boards Association has urged passage of this amendment; above all, let us listen to the people. Let us listen to the National Taxpayers Union, let us listen to the Citizens Against Government Waste that wants cleaner, more efficient government. Will this hurt minorities? Let us listen to the National Association of Minority Contractors that also supports passage of this amendment.

Mr. STENHOLM. Mr. Chairman, I yield my remaining time to myself.

Mr. Chairman, the gentleman from Michigan [Mr. FORD], the chairman, made some very relevant points a minute ago. I want to reiterate them from a different perspective.

The regulations we are talking about suspending today have been judged in a court of law and after a court of law to in fact be an accurate interpretation of Davis-Bacon as it was written and has not been significantly amended since 1931. That is why we should not do it today.

Also the reference to the NFID and small businesses is that this does not affect them. The gentleman has not been talking to small businesses lately. That is precisely the reason why we need to have these regulations. No small business in this country can bid on Federal projects because of the way in which these regulations are being in-

terpreted and the Davis-Bacon Act being interpreted.

I find it reassuring, and I certainly do not question what the gentleman has said with regard to what his committee is going to do regarding legislation to be brought to this floor. I accept that.

I have waited for 13½ years to have Davis-Bacon debated in the authorizing committee on this floor. That is what we should be doing. We have been promised time and time and time again that we would have a freestanding bill. We have not gotten one. But I accept the fact we will have one now. It will be coming now.

Mr. Chairman, I ask Members to please vote for this motion to strike today, and let us settle this issue in the proper place on an authorizing bill on this floor where we can debate the merits of this particular resolution.

Mr. Chairman, if Members have ever wanted a clear vote budgetwise, the process of this House and all of the debate that goes on on the rules and the manner in which we interpret the budget rules of this House, there has never been a clearer opportunity to express themselves than they will have at this moment.

Mr. FAWELL. Mr. Chairman, I rise in strong support of Congressman STENHOLM's motion to strike a provision in this supplemental appropriations bill to stop the Secretary of Labor from implementing court-approved regulations allowing the use of semiskilled helpers on Federal construction projects covered by the Davis-Bacon Act.

Such helpers would only be used if their use is a prevailing use in the area of the construction job. Such helpers could assist journeymen, which means less journeymen would be needed. Hence, the construction project, as in private construction, could be done for less money.

The construction unions lost the case in court. They could not get their injunction there so, of course they come to the court they control—Congress—to get their injunction.

All of this is despite the fact that the vast majority of all private construction projects use this helpers classification as part of the prevailing worker classification. Another significant change in labor law in this supplemental appropriations bill is that the language also permanently prohibits the Secretary of Labor from implementing any new regulations for apprenticeship programs.

This is outrageous—for at least three reasons.

Outrage No. 1 is that this is legislating new labor law in a supplemental appropriations bill—permanent new labor law. Obviously, an appropriations bill is no place for introducing major new labor law, especially when there is a bill—H.R. 1987—still pending in the House Labor Committee. The Subcommittee on Labor Standards has scheduled a markup on the measure for August 4.

Despite the fact that the authorizing committee is moving the legislation along, big labor wants this action taken and taken now, so committees are bypassed and it is placed in an appropriations bill.

Outrage No. 2 is this bill turns the intent of Davis-Bacon on its head. Davis-Bacon is intended to ensure that the wages to be paid are those prevailing in the area of the job and that job classifications are also supposed to be prevailing job classifications for the area. This is obviously not necessarily what big labor wants.

Outrage No. 3 is that no one argues that the job classification of helpers usually is considered a prevailing job classification in the vast majority of private construction jobs. The Department of Labor has been laboring in and out of court since 1982 to suggest that when a Federal construction job is in an area where helpers are a prevailing job classification—as defined by the Department of Labor regulations—now approved by the courts as fully consistent with the language and purpose of Davis-Bacon—then the prevailing definition of "helpers" in that area should be used. But organized labor says "no," and the majority party rubber stamps that now with an amendment to an appropriations bill each time the construction trade union loses its plea for an injunction from the Federal courts.

Outrage No. 4 is the real issue and, of course, is over money, the taxpayers' money—which means, "who cares?—in Federal—Davis-Bacon—construction jobs. Under union rules, helpers aren't used—although they are an accepted prevailing job classification—because helpers will assist journeymen. This is because there will be less journeymen—say, at \$30 per hour—and more unskilled helpers—entry-level people, often minorities—say, at \$12 per hour assisting journeymen and learning a trade.

We should remember that the helper position is the entry-level job for many individuals. Often they will acquire enough skills in that position, often supplemented by more formal training, to move into more skilled, better paying work. At a time when the construction industry is facing a shortage of skilled workers, this bill would prohibit just such a progression, as though the only way for one to enter into the construction trades was only through a union-sponsored apprenticeship plan. Such views have closed many doors to minorities seeking entry to the construction trades.

But, the use of helpers to contain construction costs and provide necessary training for advancement in the industry is not what the unions want, and they control the majority party. And so that's the way it's going to be, like it or not, and the taxpayer be damned. The taxpayers will just have to swallow an extra half billion or so of added expenses if it's a Federal construction job, or even a federally aided construction job.

If anyone thinks the Clintons or the Gores and the alleged new Democrat Party will be changing this kind of mischief well, think again. The special interests of this body just ain't going to allow it.

Mr. GRADISON. Mr. Chairman, I rise today in support of the Stenholm amendment for both budgetary and policy reasons. According to both Office of Management and Budget and the Congressional Budget Office, preventing the implementation of these regulations will increase Federal construction costs by \$500 million per year.

For years, the Department of Labor [DOL] has tried to implement regulations that would

relax Davis-Bacon requirements concerning the use of helpers. Helpers are low-skilled workers who assist journeymen on construction projects. Under current practices, anyone not in a registered apprenticeship program is classified as a journeyman and paid a journeyman's wage. This practice needlessly increases labor construction costs and limits entry-level job opportunities on Federal construction projects.

Almost daily the Appropriations Committee tells us how difficult it is to live within their 602(a) allocation. Prohibiting implementation of these regulations would needlessly cause the Appropriations Committee's scarce discretionary funds to be absorbed by higher Federal construction costs. Funds that could be used for other construction projects or appropriated to other programs.

By prohibiting these regulations, the Appropriations Committee is weakening its ability to fund other programs while still operating within the constraints of the budget agreement.

Striking this language will create both jobs for low-skilled workers and increase competition for Federal construction contracts.

Mr. GREEN of New York. Mr. Chairman, I rise in support of the Stenholm amendment to strike the provisions of the bill that permanently prohibit the Labor Department from spending funds to implement regulations that would promote the use of helpers on Davis-Bacon construction projects.

Last year, I voted in support of language that put a 1-year stay on the Labor Department's proposed helper regulations. However, I shall support the Stenholm amendment because the language in the supplemental appropriations bill seeks to permanently prohibit the Labor Department from ever implementing its helper regulations. While I do not endorse the Department's helper regulations, I do believe that this is a matter that should be addressed by the Education and Labor Committee and not resolved through the appropriations process.

Mr. HOUGHTON. Mr. Chairman, I rise to oppose this amendment. I have great respect for Mr. STENHOLM—what he is trying to do. We have discussed this.

I just think this is the wrong way to do it.

Yes. I want more jobs;

Yes. I want to give less-skilled people a chance in the marketplace;

Yes. I want to help the smaller companies compete on Government contracts.

But, creating a subclass of employees or producing a lower wage with no thought of subsequent apprenticeship training doesn't make much sense to me.

The salary of the so-called helper would be between 57 percent and 60 percent of the journeyman's wages. That's like saying that all junior vice president's salaries should be 57 percent to 60 percent, by law, of the president's salary.

Three points: If you can't afford the cost—cut people, do not belittle wages. Let the marketplace decide. And if you want to make a real change in Davis-Bacon to help business, increase the \$3,000 base point where any contract kicks in.

Mr. WILLIAMS. Mr. Chairman, in order to effectuate the will of Congress as expressed twice during the 102d Congress to perma-

nently halt implementation of the new Davis-Bacon helper regulation and proposed new apprenticeship regulations, the following language is included in the supplemental appropriations bill:

Notwithstanding any other provision of law, no funds shall be expended hereafter by the Secretary of Labor to implement or administer either the final or proposed regulations referred to in section 303 of Public Law No. 109-27.

Congress has voted twice, in the Dire Emergency Supplemental Appropriations Act and in the 1992 Labor-HHS Appropriations Act—during the first session of the 102d Congress to permanently deny the Secretary of Labor funding to implement the new Davis-Bacon helper regulation and proposed apprenticeship regulations.

Under the Davis-Bacon Act, the Department of Labor has in the past only issued wage determinations for laborers and mechanics—journeymen—as specifically required by the language of the statute. In a stark departure from its prior practice, in 1981, the Labor Department proposed that another category of workers—a helper—recognized under the Davis-Bacon Act—purportedly to give untrained minorities and women an entry level, lower wage position into the construction industry. In fact, helpers will receive no formal training and they will become a permanent class of semiskilled workers who earn very low wages.

The Department of Labor's rule allows contractors to assign the semiskilled work historically performed by laborers' classifications on a prevailing basis in hundreds of localities to lower-paid helper classifications. It is almost universal for laborers' collective bargaining agreements to include classifications of helpers or tenders to skilled journeymen who directly assist and work under the supervision of the journeyman, or to otherwise include semiskilled classifications of laborers whose duties fall within those duties which would be assigned to the new helper. The new helpers, however, will be paid lower rates and no fringe benefits such as health and pension contributions.

Because the proposed helper regulation promulgated by the Department of Labor will assign many of the traditional tasks of construction laborers to lower paid helpers, severely reduce the level of employment of construction laborers, who are in large part minority workers. The result will be that training programs of laborers will be severely reduced.

Mr. VENTO. Mr. Chairman, I rise in support of language contained in the bill H.R. 5620, the supplemental appropriations bill for fiscal year 1992, which renews a congressional ban on the Department of Labor's implementation of regulations on construction work helpers and apprentice programs.

Last year, the House defeated the amendment offered by the gentleman from Texas [Mr. STENHOLM], which would have permitted the Department of Labor to go forward with the issuance of new regulations governing helpers and apprentices. Now, 1 year later, the administration is once again attempting to ram through these new regulations which will have adverse consequences for apprentices and apprenticeship programs nationwide.

The proposed Department of Labor regulations establish a new category of helpers

which would create a class of workers who, unlike laborers, would have no formal required training and no real hope of advancing within the construction industry. Instead, they will be exploited by contractors whose primary concern is to reduce their labor costs by paying low wages. The existing Davis-Bacon law requires that prevailing wages be paid to laborers and mechanics, also known as journeymen, on Federal and federally funded construction projects.

In 1990, I, along with 104 of my colleagues in the House, wrote to then-Secretary of Labor Dole to protest proposed regulations regarding apprenticeship programs. The same concerns which we expressed 2 years ago are still valid today. The new proposed regulations would disrupt the longstanding operation of apprenticeship programs nationwide.

Specifically, the new rules would effectively abolish State apprenticeship councils of employers and employees which currently exist in 26 States and the District of Columbia, including my home State of Minnesota. The regulations would also abolish ratio requirements of apprentices to journeymen, thereby negating any guarantee to apprentices that they will receive the type of vocational experience which they expect to receive and to which they are entitled.

In March 1991, I hosted a congressional briefing for Members and staff interested in the proposed new rules. Representatives from the Department of Labor's Office of Work-Based Learning and the Bureau of Apprenticeship and Training attended this briefing and assured those of us who were present that they understood the numerous concerns which were expressed regarding the proposed new rules. They indicated that they were working with all interested parties to develop rules which could be broadly supported. Unfortunately, it is clear today that the Bush administration is more interested in railroad-ing these regulations into effect than in carefully weighing the many legitimate concerns of apprentices, employers, and employees.

Mr. Chairman, I strongly urge my colleagues to join in defeating the Stenholm amendment again this year. Let us send an unmistakable message to the Department of Labor that we will not permit the Federal Government to become an accomplice in the irresponsible efforts of those who would take meaningful apprenticeship programs and turn them into nothing more than a pool for low-wage labor.

Mr. COSTELLO. Mr. Chairman, I rise today in strong opposition to the amendment being offered by my colleague from Texas [Mr. STENHOLM].

The Davis-Bacon Act requires prevailing wages for laborers and mechanics on Federal and federally funded construction projects. The Department of Labor put into effect its new helper regulations in January of this year. Under the regulations, helpers receive no formal training and become a permanent underclass of workers toiling at very low wages. The regulations would result in severely reducing the level of employment for laborers, who are in large part minority workers already suffering from the recession.

The current language in H.R. 5620 asserts that the Department of Labor should not implement the helper and the proposed appren-

ticeship regulations. In harsh economic times such as these, we need to foster the job efforts of those hardest hit by the recession, not shut them out of the workplace. The Stenholm amendment, which would strike that language in H.R. 5620, fosters the creation of a new class of workers who, unlike laborers, would have no formal training and no hope of advancement within the construction industry.

I ask my colleagues to join me in opposing this disturbing amendment. It is intolerable to me that we, as lawmakers of this country, would turn our backs on those who need us most, those who are hardest hit by the recession.

Mrs. MINK. Mr. Chairman, I rise in opposition to the Stenholm amendment to H.R. 5620, which strikes the language in the bill which restricts spending to implement new regulations promulgated by the Secretary of Labor which went into effect on February 4, 1991, affecting the use of helpers in federally funded projects under Davis-Bacon.

Congress has spoken twice already to express its will on this subject, but this has been totally ignored by the Secretary of Labor.

This appropriations bill merely restates that language which had previously been agreed to by the Congress.

The Court, I believe, has erroneously ruled that permanent law cannot be enacted in appropriations bills.

This language which the Stenholm amendment seeks to strike is needed to prevent implementing the regulations which contradict the intent of Congress on this matter.

The open unrestricted use of helpers on federally funded projects at lower wages than required by Davis-Bacon will create havoc in the labor market and destabilize the workplace.

Further, the use of helpers who are not required to be included in specific training programs and apprenticeships to allow these workers to be adequately trained will create an underclass of workers who will be kept at a lower wage scale.

I believe that minority workers and women will be especially hard hit by allowing unlimited numbers of non-Davis-Bacon wage hires called helpers.

This issue is particularly critical when we are in a high unemployment slide in the construction industry with thousands of highly skilled workers in all trades unemployed.

The chairman of the Education and Labor Committee intends to offer legislation to appropriately define a helper category on the job site that affords entry level workers the protections and benefits of Davis-Bacon along with the prospects of future advancement to laborer or journey workers status.

I believe this matter deserves the full and considered attention of the committee to ensure that the intent and guarantees of just wages on Government construction projects in accordance with the Davis-Bacon Act are observed.

I look forward to this discussion in committee and urge that the Stenholm amendment be defeated.

Mr. HAYES of Illinois. Mr. Chairman, I rise in strong opposition to Representative STENHOLM's amendment to the supplemental appropriations for fiscal year 1992, H.R. 5620.

This amendment would strike a legislative rider that permanently prohibits the Department of Labor from implementing regulations on construction work helpers and apprenticeship programs.

The Stenholm amendment would not only alter training requirements for apprenticeship programs in various skills and trades, but it would also promote the widespread use of helpers on Davis-Bacon construction projects, resulting in the displacement of skilled building craftspeople.

This amendment demonstrates an obvious disregard for the welfare of skilled building craftspeople, and apprentices, especially when many are already suffering from such harsh recessionary times. The Department of Labor regulations establish a new category of helpers which would create a class of workers who, unlike laborers, would have no formal training, no hope of advancement within the construction industry, and would receive extremely low wages.

Mr. Chairman, out of the concern for America's working-class laborers, I urge my colleagues to vote against the Stenholm amendment.

The CHAIRMAN. All time has expired on the amendment.

The question is on the amendment offered by the gentleman from Texas [Mr. STENHOLM].

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

RECORDED VOTE

Mr. STENHOLM. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 172, noes 242, not voting 20, as follows:

[Roll No. 325]

AYES—172

Allard	DeLay	Hunter
Allen	Derrick	Hutto
Andrews (TX)	Dickinson	Inhofe
Anthony	Doolittle	James
Archer	Dornan (CA)	Jenkins
Armey	Dreier	Johnson (CT)
Baker	Duncan	Johnson (TX)
Ballenger	Edwards (OK)	Kasich
Barnard	Emerson	Klug
Barrett	English	Kolbe
Barton	Ewing	Kyl
Bateman	Fawell	Lagomarsino
Bentley	Fields	Lancaster
Bereuter	Franks (CT)	Leach
Bilirakis	Gallegly	Lewis (CA)
Bliley	Gekas	Lewis (FL)
Boehner	Geren	Lightfoot
Broomfield	Gilchrest	Livingston
Bunning	Goodling	Lowery (CA)
Burton	Goss	Machtley
Byron	Gradison	Marlenee
Callahan	Grandy	McCandless
Camp	Green	McCollum
Campbell (CA)	Gunderson	McCrery
Carper	Hall (TX)	McCurdy
Chandler	Hammerschmidt	McEwen
Chapman	Hancock	McMillan (NC)
Clinger	Hansen	Meyers
Coble	Hastert	Michel
Coleman (MO)	Hayes (LA)	Miller (OH)
Combest	Hefley	Miller (WA)
Cooper	Hefner	Molinari
Coughlin	Henry	Montgomery
Cox (CA)	Herger	Moorhead
Crane	Hobson	Morella
Cunningham	Holloway	Myers
Dannemeyer	Hopkins	Neal (NC)
Darden	Huckaby	Nichols

McCrary	Pickle	Smith (TX)	Smith (NJ)	Torres	Weiss
McCurdy	Porter	Snowe	Solomon	Torricelli	Weldon
McEwen	Price	Spence	Staggers	Towns	Wheat
McMillan (NC)	Pursell	Spratt	Stallings	Trafcant	Whitten
Meyers	Quillen	Stearns	Stark	Traxler	Williams
Michel	Ramstad	Stenholm	Stokes	Unsoeld	Wilson
Miller (OH)	Ravenel	Stump	Studds	Vento	Wise
Miller (WA)	Ray	Sundquist	Swett	Visclosky	Wolpe
Mollinari	Rhodes	Tanner	Swift	Volkmer	Wyden
Montgomery	Riggs	Tauzin	Synar	Walsh	Yates
Moorhead	Roberts	Taylor (NC)	Tallon	Washington	Yatron
Morella	Rogers	Thomas (WY)	Taylor (MS)	Waters	Young (AK)
Myers	Rohrabacher	Upton	Thornton	Waxman	
Neal (NC)	Ros-Lehtinen	Valentine			
Nichols	Roth	Vander Jagt			
Nussle	Roukema	Vucanovich	Anderson	Gingrich	Russo
Owens (NY)	Rowland	Walker	Boxer	Hatcher	Savage
Oxley	Schaefer	Weber	Campbell (CO)	Hyde	Schulze
Packard	Schiff	Wolf	Conyers	Ireland	Solarz
Parker	Sensenbrenner	Wylie	Dymally	Lent	Thomas (CA)
Patterson	Shaw	Young (FL)	Engel	Payne (NJ)	Thomas (GA)
Paxon	Shuster	Zeliff	Ford (TN)	Perkins	
Payne (VA)	Slusky	Zimmer			
Petri	Skeen				
Pickett	Smith (OR)				

## NOT VOTING—20

Anderson	Gingrich	Russo
Boxer	Hatcher	Savage
Campbell (CO)	Hyde	Schulze
Conyers	Ireland	Solarz
Dymally	Lent	Thomas (CA)
Engel	Payne (NJ)	Thomas (GA)
Ford (TN)	Perkins	

□ 1637

The Clerk announced the following pair:

On this vote:

Mr. Thomas of California for, with Mr. Engel against.

Mr. GIBBONS and Mrs. SCHROEDER changed their vote from "aye" to "no."

Mr. HUNTER changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. OWENS of New York. Mr. Speaker, I wish to have the RECORD, immediately following the vote on the Stenholm amendment to H.R. 5620, show that I mistakenly cast a vote "yes" when I meant to vote "no."

## AMENDMENT OFFERED BY MRS. ROUKEMA

Mrs. ROUKEMA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. ROUKEMA: On page 21, after line 11, insert the following new section:

SEC. . From funds appropriated to the Department of Transportation or made available in Public Law 102-143 or any other act for highway or highway-safety purposes from discretionary accounts, the Secretary of Transportation shall, notwithstanding any other provision of this Act or any other act, make available not to exceed \$500,000 for emergency corrective actions to be undertaken at Route 515, near Breakneck Road, in Vernon Township, New Jersey.

Mrs. ROUKEMA (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 gentlewoman from New Jersey?

There was no objection.

Mr. LEHMAN of Florida. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Florida [Mr. LEHMAN] reserves a point of order on the amendment.

The gentlewoman from New Jersey [Mrs. ROUKEMA] is recognized for 5 minutes.

□ 1640

Mrs. ROUKEMA. Mr. Chairman, my amendment would direct the Secretary

of Transportation to provide emergency funds for correcting a treacherous, steep, and winding stretch of highway, which local residents know as one of the worst stretches of road in New Jersey.

I am sad to say that my efforts this morning come in response to a series of tragedies, which culminated this weekend in the deaths of six New York tourists, and the injury of dozens more travelers and residents.

Before we have any further carnage on our hands, this stretch of road has got to be fixed. School buses use the road every day. Sunday's accident was as gruesome as anything you saw in the war in the desert. We must seize the moment and fix that road.

Anyone watching the news on Sunday night was witness to a scene of disaster, as emergency crews from around New Jersey, New York, and Pennsylvania raced to Vernon Township, NJ. Earlier that day, a tour bus of Brooklyn residents, en route to a Vernon amusement park, lost control of its brakes on a treacherous stretch of roadway.

The bus careened down Route 515, past a stretch called Breakneck Road. It collided with a car in the oncoming lane, spun and crashed into a second car. It then flipped off the road, barrel-rolling several times before bursting into flames. Some passengers were thrown out of the bus through glass windows. Others were trapped within, and showered by sheets of shattering glass.

Six people were killed. More than 40 remain injured today, many critically. Honestly, it is miraculous that any passengers survived.

I inspected the accident site yesterday afternoon, with representatives of the township of Vernon, the New Jersey Department of Transportation, and the Federal Highway Administration. I saw the remains of the bus. The bus was a charred shell, looking for all the world as though hit by several Scud missiles. I saw the deep scars in the road where control was lost. Looking up Route 515, I saw why Breakneck Road got its name.

Were this a single event, we could write it off as a freak accident, or unavoidable tragedy. But it is not a single event. It is not a freak accident. It is clearly the result of obvious unsafe conditions. This road is an accident waiting to happen.

Route 515 and Breakneck Road took another life less than 2 weeks ago, when a gasoline truck traveling to make a delivery lost control on the incline, spun out of control, and plunged off the side of the road. The driver of the truck was killed, and more than 9,000 gallons of gasoline spewed over the road and streams into the town. Firefighters from all across New Jersey rushed to the scene, smothering the vapors in foam before they could explode and ignite the nearby residences.

## NOES—242

Abercrombie	Frank (MA)	McMillen (MD)
Ackerman	Frost	McNulty
Alexander	Gallo	Mfume
Andrews (ME)	Gaydos	Miller (CA)
Andrews (NJ)	Gejdenson	Mineta
Annunzio	Gephardt	Mink
Applegate	Gibbons	Moakley
Aspin	Gillmor	Mollohan
Atkins	Gilman	Moody
AuCoin	Glickman	Moran
Bacchus	Gonzalez	Morrison
Bellenson	Gordon	Mrazek
Bennett	Guarini	Murphy
Berman	Hall (OH)	Murtha
Bevill	Hamilton	Nagle
Bilbray	Harris	Natcher
Blackwell	Hayes (IL)	Neal (MA)
Boehler	Hertel	Nowak
Bonior	Hoagland	Oakar
Borski	Hochbrueckner	Oberstar
Boucher	Horn	Obey
Brewster	Horton	Olin
Brooks	Houghton	Oliver
Browder	Hoyer	Ortiz
Brown	Hubbard	Orton
Bruce	Hughes	Owens (UT)
Bryant	Jacobs	Pallone
Bustamante	Jefferson	Panetta
Cardin	Johnson (SD)	Pastor
Carr	Johnston	Pease
Clay	Jones (GA)	Pelosi
Clement	Jones (NC)	Penny
Coleman (TX)	Jontz	Peterson (FL)
Collins (IL)	Kanjorski	Peterson (MN)
Collins (MI)	Kaptur	Poshard
Condit	Kennedy	Rahall
Costello	Kennelly	Rangel
Cox (IL)	Kildee	Reed
Coyne	Kiecicka	Regula
Cramer	Kolter	Richardson
Davis	Kopetski	Ridge
de la Garza	Kostmayer	Rinaldo
DeFazio	LaFalce	Ritter
DeLauro	Lantos	Roe
Dellums	LaRocco	Roemer
Dicks	Laughlin	Rose
Dingell	Lehman (CA)	Rostenkowski
Dixon	Lehman (FL)	Roybal
Donnelly	Levin (MI)	Sabo
Dooley	Levine (CA)	Sanders
Dorgan (ND)	Lewis (GA)	Sangmeister
Downey	Lipinski	Santorum
Durbin	Lloyd	Sarpallus
Dwyer	Long	Sawyer
Early	Lowey (NY)	Saxton
Eckart	Luken	Scheuer
Edwards (CA)	Manton	Schroeder
Edwards (TX)	Markey	Schumer
Erdreich	Martin	Serrano
Espy	Martinez	Sharp
Evans	Matsui	Shays
Fascell	Mavroules	Sikorski
Fazio	Mazzoli	Skaggs
Feighan	McCloskey	Skelton
Fish	McDade	Slattery
Flake	McDermott	Slaughter
Foglietta	McGrath	Smith (FL)
Ford (MI)	McHugh	Smith (IA)

That day, thanks to the speedy actions of emergency crews, only one life was lost. But more than 2 days later, Vernon was still facing flash fires from the gasoline remains. The Mayor of Vernon put it best: "It was a miracle we didn't have more of a disaster."

A few months earlier, it was a trailer truck carrying a load of railroad ties which sped out of control, flinging its heavy cargo across the highway.

All told, this weekend's fatalities were the fourth major accident along a 10-mile stretch of pavement.

At an emergency meeting I called yesterday, I solicited recommendations from the county engineer and State transportation representatives for a solution. One cost-effective and clear solution came forward: the construction of sand-filled turn-off lanes along the sides of the hazard. These trenches provide a buffer for a vehicle which has lost control to turn into and stop safely.

Such sand-filled trenches could have saved the passengers on the bus Sunday. Or the gasoline truck driver a week before that. Or any of the other passengers killed or injured on Route 515 this year.

My amendment would direct the Secretary of Transportation to provide \$500,000 of existing money for emergency corrective action on this treacherous stretch of roadway. These are funds which have already been appropriated for the Department of Transportation, and are intended to come from the discretionary accounts we provide our agencies and departments for dealing with emergencies such as this one.

I repeat, this provision provides for no new spending. It is merely directs existing moneys to the purposes for which they are intended. For urgent, emergency corrective measures.

My colleagues, we have before us a bill making urgent supplemental appropriations. I can not overstate to you the case for providing urgent relief along Route 515. We have already witnessed too many deaths, too many injuries, too much carnage. I ask for your support in making emergency efforts to end needless deaths, and let Breakneck Road claim no more victims. Again, schoolbuses use this road every day. Let's not delay or procrastinate, and invite another catastrophe, more suffering, more death.

I would ask the chairman to accept my amendment.

Mr. ROE. Mr. Chairman, I move to strike the last word in support of the amendment. I do not want to belabor the committee time. I think the gentlewoman from New Jersey has done a good job in explaining what we are faced with here.

We highly respect the chairman of the full Committee on Appropriations, and the chairman of the subcommittee, the gentleman from Florida [Mr. LEH-

MAN], our friend and counterpart, and the members of the Appropriation Committee. We have a special problem which we are trying to share with the Members. We need help.

The problem we have is this basic disastrous accident that took place, one of the worst in the country here this past Sunday, and in which, as the gentlewoman from New Jersey pointed out, 6 people were killed and 40 were in a bus that exploded in flames. We have a problem existing on Route 515. This program is going to cost us about \$9 million to do.

□ 1650

We are not asking for that at all. We need help right now to get over this position we are faced with on an emergency basis.

Where we are coming from, we have to get going and correct this problem and to get it started. We need in the substance of the gentlewoman's amendment which is \$500,000 to get this going.

We in the State of New Jersey will pay this entire bill. We are well aware and highly respect, as I said before, that there is a legitimate point of concern that is raised against this in a point of order, but we are asking the chairman not to invoke a point of order so we can get this particular situation achieved.

Now, I think it is important to point to Members that we are not asking to take anything away from anybody else. We are not asking for a new start. That is not what is involved here. We are not asking for 1993 money or allocations. That is not what is involved here. We are really asking to give us the authority to reprogram 1991 money to be used for this purpose, and we really need your help.

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

Mr. ROE. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, this, of course, is only for \$500,000 to address an extraordinary problem, and I strongly support the gentleman and the position of the gentlewoman.

Mrs. ROUKEMA. Mr. Chairman, will the gentleman yield?

Mr. ROE. I yield to the gentlewoman from New Jersey.

Mrs. ROUKEMA. Mr. Chairman, I would simply say on the gentleman's reservation that I would like to make the point to the chairman that I want to stress again we are talking about a road that is used to transport schoolchildren every day.

I will tell you that I just would not be able to sleep at night if I thought we were going to go through another winter with those schoolbuses going down that road, icy in the wintertime, without the necessary emergency runoffs.

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

Mr. ROE. I yield to the gentleman from New Jersey.

Mr. GALLO. Mr. Chairman, as a member of the Committee on Appropriations, on numerous occasions we have had emergencies that have taken place, and we have modified the agenda to meet those emergencies. I would ask the chairman, the gentleman from Florida [Mr. LEHMAN], to give strong consideration to the suffering that has already gone through with 6 deaths and 40 injuries and also the potential for another disaster.

I know it is not the proper procedure, but the circumstances that brought us and brought my colleague, both colleagues from New Jersey, to the floor are not something that could have been planned. I would hope the chairman, the gentleman from Florida [Mr. LEHMAN], would give this consideration.

POINT OF ORDER

The CHAIRMAN. The gentleman from Florida [Mr. LEHMAN] is recognized on the point of order.

Mr. LEHMAN of Florida. Mr. Chairman, I insist on the point of order, because this amendment changes existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

This amendment gives affirmative direction, in effect, because it requires the Secretary of Transportation to make funds available for a specific project. It does not apply to the appropriation under consideration, because it is earmarked funds not in this bill.

I understand the substantive value of this amendment, but there must be 100 or more such situations throughout the country where highways are not safe. What we need is a lot more money for highways to make them more safe throughout the whole country. We have dangerous highways in south Florida, as you do in New Jersey.

So I maintain and insist on my point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. MCDADE] wish to speak on the point of order?

Mr. MCDADE. Mr. Chairman, I do. I thank the distinguished gentleman.

Mr. Chairman, like all Members, I think, in the Chamber, I have great sympathy with the gentlewoman from New Jersey.

Mr. Chairman, may I suggest that included in title XXIII of the United States Code, subsection 125, there is authorized an emergency relief program.

Now, I recognize that in generalization the program is intended for repair or reconstruction of highways or roads which have suffered serious problems as a result of natural disasters, but I want to point out, Mr. Chairman, that it also permits the repair of highways that need repair as a result, and I am quoting from the statute, "of catastrophic failures of any external cause." That is the language, and it is as wide and broad as it can be, Mr. Chairman.

We can argue, I suppose, that that pot of money ought not to be available for Route 515. But I think it does cover it, and may I say in conclusion, Mr. Chairman, that we intend to work with the distinguished gentlewoman from New Jersey through conference if this point of order is sustained to try to uphold her position.

The CHAIRMAN. Does the gentlewoman from New Jersey wish to speak on the point of order?

Mrs. ROUKEMA. Mr. Chairman, I think in considering this, first, I would like to ask a question of the chairman and perhaps the ranking member here. The CHAIRMAN. The gentlewoman must address herself to the point of order.

Mrs. ROUKEMA. Yes, Mr. Chairman, I would.

I would consider that we have been stymied by a technicality here. I think that is unfortunate.

I do not agree with the point of order, but I cannot argue the point.

I would like to ask that if I withdraw the amendment, could I have the assurances, and the point of my question, Mr. Chairman, could I ask for your assistance along with the assistance of our colleague, the gentleman from Pennsylvania, in working with the Senate to get an appropriation and authorization from existing funds through legislation that is currently passing through both the House and the Senate, both this bill as well as the other authorization bill that is currently being worked on in the Senate?

Mr. LEHMAN of Florida. Mr. Chairman, the gentlewoman may be assured I am sympathetic to the situation for this highway and other highways throughout the country.

Certainly everything in the conference is open to negotiations including this particular legislation, and I am sure it will be offered in conference, and it would certainly have my consideration.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

For the reason stated by the gentleman from Florida [Mr. LEHMAN], the Chair sustains the point of order. The amendment is legislation and does not merely appropriate authorized funds.

The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Supplemental Appropriations, Transfers, and Rescissions Act, 1992".

Mr. NATCHER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MCNUITY) having assumed the chair, Mr. McDERMOTT, Chairman of the Commit-

tee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5620) making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment 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.

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. DANMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 297, nays 124, not voting 13, as follows:

[Roll No. 326]

YEAS—297

Abercrombie	Coleman (TX)	Gaydos
Ackerman	Collins (IL)	Gedjenson
Alexander	Collins (MI)	Gephardt
Anderson	Cooper	Gibbons
Andrews (ME)	Costello	Gilchrest
Andrews (NJ)	Coughlin	Gillmor
Andrews (TX)	Cox (IL)	Gilman
Annunzio	Coyne	Gonzalez
Anthony	Cramer	Goodling
Applegate	Cunningham	Gordon
Aspin	Darden	Green
Atkins	Davis	Hall (OH)
AuCoin	de la Garza	Hall (TX)
Bacchus	DeFazio	Hamilton
Barnard	DeLauro	Harris
Bateman	Dellums	Hayes (IL)
Bellenson	Derrick	Hayes (LA)
Bennett	Dicks	Hefner
Bentley	Dingell	Hertel
Berman	Dixon	Hoagland
Bevill	Donnelly	Hobson
Bilbray	Dooley	Hochbrueckner
Billrakis	Dorgan (ND)	Horn
Blackwell	Downey	Horton
Boehrlert	Durbin	Houghton
Bonior	Dwyer	Hoyer
Borski	Early	Huckaby
Boucher	Eckart	Hutto
Brewster	Edwards (CA)	Jefferson
Brooks	Edwards (TX)	Jenkins
Broomfield	Emerson	Johnson (SD)
Browder	English	Johnston
Brown	Erdreich	Jones (GA)
Bruce	Espy	Jones (NC)
Bryant	Evans	Jontz
Bustamante	Fascell	Kanjorski
Byron	Fazio	Kaptur
Camp	Feighan	Kasich
Campbell (CO)	Fish	Kennedy
Cardin	Flake	Kennelly
Carr	Foglietta	Kildee
Chandler	Ford (MI)	Kleczka
Chapman	Frank (MA)	Kolter
Clay	Franks (CT)	Kopetski
Clement	Frost	Kostmayer
Coleman (MO)	Gallo	LaFalce

Lancaster	Oakar	Sisisky
Lantos	Oberstar	Skaggs
LaRocco	Obey	Skeen
Laughlin	Olin	Skelton
Lehman (CA)	Olver	Slaughter
Lehman (FL)	Ortiz	Smith (FL)
Lent	Owens (NY)	Smith (IA)
Levin (MI)	Owens (UT)	Smith (NJ)
Levine (CA)	Oxley	Snowe
Lewis (CA)	Pallone	Spence
Lewis (GA)	Panetta	Spratt
Lipinski	Parker	Staggers
Livingston	Pastor	Stallings
Lloyd	Patterson	Stark
Long	Pelosi	Stearns
Lowery (CA)	Peterson (FL)	Stokes
Lowey (NY)	Peterson (MN)	Studds
Machtley	Pickett	Sweet
Manton	Pickle	Swift
Markey	Porter	Synar
Martin	Poshard	Tallon
Martinez	Price	Tanner
Matsui	Rahall	Tauzin
Mavroules	Rangel	Taylor (MS)
Mazzoli	Ravenel	Thornton
McCloskey	Ray	Torres
McCurry	Reed	Torricelli
McCurdy	Regula	Towns
McDade	Richardson	Trafigant
McDermott	Rinaldo	Traxler
McGrath	Roe	Unsoeld
McHugh	Roemer	Valentine
McMillen (MD)	Rogers	Vander Jagt
McNulty	Rose	Vento
Mfume	Rostenkowski	Viscosky
Miller (CA)	Roukema	Volkmer
Mineta	Rowland	Vucanovich
Mink	Roybal	Walsh
Moakley	Sabo	Washington
Mollohan	Sanders	Waters
Montgomery	Sangmeister	Waxman
Moody	Sarpalius	Weiss
Moran	Savage	Wheat
Morella	Sawyer	Whitten
Morrison	Saxton	Williams
Mrazek	Scheuer	Wilson
Murphy	Schiff	Wise
Murtha	Schroeder	Wolpe
Nagle	Schumer	Wyden
Natcher	Serrano	Yates
Neal (MA)	Sharp	Yatron
Neal (NC)	Shaw	Young (AK)
Nowak	Shays	Young (FL)

NAYS—124

Allard	Guarini	Nichols
Allen	Gunderson	Nussle
Archer	Hammerschmidt	Orton
Armey	Hancock	Packard
Baker	Hansen	Paxon
Ballenger	Hastert	Payne (VA)
Barrett	Hefley	Pease
Barton	Henry	Penny
Bereuter	Herger	Petri
Bliley	Holloway	Pursell
Boehner	Hopkins	Quillen
Bunning	Hubbard	Ramstad
Burton	Hughes	Rhodes
Callahan	Hunter	Ridge
Campbell (CA)	Inhofe	Riggs
Carper	Ireland	Ritter
Clinger	Jacobs	Roberts
Coble	James	Rohrabacher
Combest	Johnson (CT)	Ros-Lehtinen
Condit	Johnson (TX)	Roth
Cox (CA)	Klug	Santorum
Crane	Kolbe	Schaefer
Dannemeyer	Kyl	Schulze
DeLay	Lagomarsino	Sensenbrenner
Dickinson	Leach	Shuster
Doollittle	Lewis (FL)	Sikorski
Dornan (CA)	Lightfoot	Slattery
Dreier	Luken	Smith (OR)
Duncan	Marlenee	Smith (TX)
Edwards (OK)	McCandless	Solomon
Ewing	McCollum	Stenholm
Fawell	McEwen	Stump
Fields	McMillan (NC)	Sundquist
Galleghy	Meyers	Taylor (NC)
Gekas	Michel	Thomas (CA)
Geren	Miller (OH)	Thomas (WA)
Glickman	Miller (WA)	Thomas (WY)
Goss	Mollinari	Upton
Gradison	Moorhead	Walker
Grandy	Myers	

Weber	Wolf	Zeliff
Weldon	Wylie	Zimmer

**NOT VOTING—13**

Boxer	Gingrich	Russo
Conyers	Hatcher	Solarz
Dymally	Hyde	Thomas (GA)
Engel	Payne (NJ)	
Ford (TN)	Perkins	

□ 1719

Messrs. **HAMMERSCHMIDT**, **BLILEY**, **TAYLOR** of North Carolina, and **CLINGER** changed their vote from "yea" to "nay."

Mrs. **VUCANOVICH**, and Messrs. **FRANKS** of Connecticut, **EMERSON**, **HALL** of Texas, and **HOBSON** changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The **SPEAKER pro tempore** (Mr. **MCNULTY**). Pursuant to clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed on Monday, July 27, 1992, in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 5645, by the yeas and nays; H.R. 5653, by the yeas and nays; and H.R. 450, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

**EXCLUDING CERTAIN SPONSORSHIP PAYMENTS FROM UNRELATED BUSINESS INCOME OF TAX-EXEMPT ORGANIZATIONS**

The **SPEAKER pro tempore**. The unfinished business is the question of suspending the rules and passing the bill, H.R. 5645.

The Clerk read the title of the bill.

The **SPEAKER pro tempore**. The question is on the motion offered by the gentleman from Texas [Mr. **ANDREWS**] that the House suspend the rules and pass the bill, H.R. 5645, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 296, nays 123, not voting 15, as follows:

[Roll No. 327]

**YEAS—296**

Ackerman	Baker	Boehner
Alexander	Ballenger	Borski
Allard	Barnard	Boucher
Allen	Barrett	Brewster
Anderson	Barton	Brooks
Annuzio	Bateman	Broomfield
Anthony	Bentley	Browder
Applegate	Bereuter	Brown
Archer	Bevill	Bruce
Armey	Bilbray	Bryant
Aspin	Bliley	Bunning
Bacchus	Boehliert	Burton

Bustamante	Horton	Oxley
Byron	Houghton	Packard
Callahan	Hoyer	Panetta
Camp	Hubbard	Parker
Campbell (CO)	Huckaby	Pastor
Cardin	Hunter	Paxon
Carr	Hutto	Payne (VA)
Chandler	Inhofe	Peterson (FL)
Chapman	Ireland	Peterson (MN)
Clement	Jacobs	Pickle
Clinger	James	Porter
Coble	Jefferson	Price
Coleman (MO)	Jenkins	Quillen
Coleman (TX)	Johnson (CT)	Ramstad
Combest	Johnson (TX)	Rangel
Cooper	Johnston	Ravenel
Cox (CA)	Jones (GA)	Ray
Coyne	Jones (NC)	Regula
Cramer	Kanjorski	Rhodes
Cunningham	Kaptur	Riggs
Dannemeyer	Kasich	Rinaldo
Darden	Kennedy	Ritter
Davis	Kennelly	Roberts
de la Garza	Kleczka	Roe
DeLay	Kolbe	Roemer
Derrick	Kolter	Rogers
Dickinson	Kopetski	Rohrabacher
Dicks	Kyl	Ros-Lehtinen
Dingell	LaFalce	Rose
Dixon	Lagomarsino	Rostenkowski
Donnelly	Lancaster	Roukema
Doolittle	Lantos	Rowland
Dornan (CA)	Laughlin	Roybal
Dreier	Lehman (CA)	Sangmeister
Duncan	Lent	Santorom
Dwyer	Levin (MI)	Sarpalius
Early	Lewis (CA)	Schaefer
Edwards (OK)	Lewis (FL)	Schiff
Edwards (TX)	Lewis (GA)	Schulze
Emerson	Lightfoot	Shaw
Engel	Lipinski	Shuster
English	Livingston	Sisisky
Erdreich	Lloyd	Skeen
Ewing	Lowery (CA)	Skelton
Fascell	Luken	Smith (FL)
Fawell	Machtley	Smith (NJ)
Fazio	Manton	Smith (TX)
Feighan	Marlenee	Snowe
Fields	Martin	Solomon
Fish	Martinez	Spence
Flake	Matsui	Spratt
Ford (MI)	McCandless	Staggers
Franks (CT)	McCloskey	Stearns
Frost	McCollum	Stenholm
Gallegly	McCrery	Stump
Gaydos	McCurdy	Sundquist
Gekas	McDade	Swift
Gephardt	McDermott	Tallon
Geren	McEwen	Tanner
Gibbons	McGrath	Tauzin
Gilchrist	McMillan (NC)	Taylor (MS)
Gillmor	McNulty	Taylor (NC)
Gonzalez	Meyers	Thomas (CA)
Goodling	Michel	Thomas (WY)
Gordon	Miller (OH)	Thornton
Goss	Miller (WA)	Torricelli
Grandy	Moakley	Traficant
Green	Molinari	Traxler
Guarini	Montgomery	Upton
Gunderson	Moorhead	Valentine
Hall (OH)	Morrison	Vander Jagt
Hall (TX)	Mrazek	Volkmer
Hamilton	Murphy	Vucanovich
Hammerschmidt	Murtha	Walker
Hancock	Myers	Walsh
Hansen	Natcher	Weber
Harris	Neal (MA)	Weldon
Hastert	Neal (NC)	Wheat
Hayes (LA)	Nichols	Whitten
Hefley	Nowak	Williams
Hefner	Oakar	Wilson
Hergert	Oberstar	Wise
Hertel	Olin	Wolf
Hobson	Olver	Wylie
Holloway	Ortiz	Yatron
Hopkins	Orton	Young (FL)
Horn	Owens (NY)	

**NAYS—123**

Abercrombie	Beilenson	Carper
Andrews (ME)	Bennett	Clay
Andrews (NJ)	Bilirakis	Collins (IL)
Andrews (TX)	Blackwell	Collins (MI)
Atkins	Bonior	Condit
AuCoin	Campbell (CA)	Costello

Cox (IL)	Markey	Saxton
Crane	Mavroules	Scheuer
DeFazio	Mazzoli	Schroeder
DeLauro	McHugh	Schumer
Dellums	McMillen (MD)	Sensenbrenner
Dooley	Mfume	Serrano
Dorgan (ND)	Miller (CA)	Sharp
Downey	Mineta	Shays
Durbin	Mink	Sikorski
Eckart	Mollohan	Skaggs
Edwards (CA)	Moody	Slattery
Espy	Moran	Slaughter
Evans	Morella	Smith (IA)
Foglietta	Nagle	Smith (OR)
Frank (MA)	Nussle	Stallings
Gallo	Obey	Stark
Gejdenson	Owens (UT)	Stokes
Gilman	Pallone	Studds
Glickman	Patterson	Sweet
Gradison	Payne (NJ)	Synar
Hayes (IL)	Pease	Torres
Henry	Pelosi	Towns
Hoagland	Penny	Unsoeld
Hochbrueckner	Petri	Vento
Hughes	Pickett	Visclosky
Johnson (SD)	Poshard	Washington
Jontz	Pursell	Waters
Kildee	Rahall	Waxman
Klug	Reed	Weiss
Kostmayer	Richardson	Wolpe
LaRocco	Ridge	Wyden
Leach	Roth	Yates
Levine (CA)	Sabo	Young (AK)
Long	Sanders	Zeliff
Lowey (NY)	Sawyer	Zimmer

**NOT VOTING—15**

Berman	Ford (TN)	Perkins
Boxer	Gingrich	Russo
Conyers	Hatcher	Savage
Coughlin	Hyde	Solarz
Dymally	Lehman (FL)	Thomas (GA)

□ 1740

Messrs. **WOLPE**, **MAZZOLI**, **RICHARDSON**, and **NAGLE**, Ms. **WATERS**, Mr. **CLAY**, Mrs. **COLLINS** of Michigan, and Messrs. **STOKES**, **STARK**, **ESPY**, **OWENS** of Utah, and **SHARP** changed their vote from "yea" to "nay."

Mr. **JOHNSTON** of Florida and Mr. **HERTEL** changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The **SPEAKER pro tempore** (Mr. **MCNULTY**). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

**RELATING TO TAX-EXEMPT BONDS FOR GOVERNMENT-OWNED INTER-CITY RAIL FACILITIES**

The **SPEAKER pro tempore**. The unfinished business is the question of suspending the rules and passing the bill, H.R. 5653.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. GIBBONS] that the House suspend the rules and pass the bill, H.R. 5653, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 48, nays 369, not voting 17, as follows:

[Roll No. 328]

YEAS—48

Abercrombie	Fazio	Murphy
Alexander	Gephardt	Oakar
Andrews (ME)	Geren	Pease
Anthony	Hall (TX)	Pickle
Applegate	Hoagland	Rangel
Barnard	Jenkins	Roe
Bellenson	LaRocco	Rostenkowski
Berman	Levine (CA)	Santorum
Bonior	Matsui	Sarpallus
Cardin	Mazzoli	Scheuer
Collins (MI)	McDermott	Stark
Cox (IL)	McGrath	Swift
Coyne	McMillen (MD)	Torricelli
DeFazio	Miller (WA)	Waxman
Derrick	Mink	Weiss
Eckart	Morella	Wilson

NAYS—369

Ackerman	Dannemeyer	Hamilton
Allard	Darden	Hammerschmidt
Allen	Davis	Hancock
Anderson	de la Garza	Hansen
Andrews (TX)	DeLauro	Harris
Annuzio	DeLay	Hastert
Archer	Dellums	Hayes (LA)
Army	Dickinson	Hayes (LA)
Aspin	Dicks	Hefley
Atkins	Dingell	Hefner
AuCoin	Dixon	Henry
Bacchus	Donnelly	Henger
Baker	Dooley	Hertel
Ballenger	Doolittle	Hobson
Barrett	Dorgan (ND)	Hochbrueckner
Barton	Dorman (CA)	Holloway
Bateman	Downey	Hopkins
Bennett	Dreier	Horn
Bentley	Duncan	Horton
Bereuter	Durbin	Houghton
Bevill	Dwyer	Hoyer
Bilbray	Early	Hubbard
Bilirakis	Edwards (CA)	Huckaby
Blackwell	Edwards (OK)	Hughes
Billey	Edwards (TX)	Hunter
Boehlert	Emerson	Hutto
Boehner	Engel	Inhofe
Borski	English	Ireland
Boucher	Erdreich	Jacobs
Brewster	Espy	James
Brooks	Evans	Jefferson
Broomfield	Ewing	Johnson (CT)
Browder	Fascell	Johnson (SD)
Brown	Fawell	Johnson (TX)
Bruce	Feighan	Johnston
Bryant	Fields	Jones (GA)
Bunning	Fish	Jones (NC)
Burton	Flake	Jontz
Bustamante	Foglietta	Kanjorski
Byron	Ford (MI)	Kaptur
Callahan	Frank (MA)	Kasich
Camp	Franks (CT)	Kennedy
Campbell (CA)	Frost	Kennelly
Campbell (CO)	Galleghy	Kildee
Carper	Gallo	Kleczka
Carr	Gaydos	Klug
Chandler	Gejdenson	Kolbe
Chapman	Gekas	Kopetski
Clay	Gibbons	Kostmayer
Clement	Gilchrest	Kyl
Clinger	Gillmor	LaFalce
Coble	Gilman	Lagomarsino
Coleman (MO)	Glickman	Lancaster
Coleman (TX)	Gonzalez	Lantos
Collins (IL)	Goodling	Laughlin
Combest	Gordon	Leach
Condit	Goss	Lehman (CA)
Cooper	Gradison	Leht
Costello	Grandy	Levin (MI)
Cox (CA)	Green	Lewis (CA)
Cramer	Guarini	Lewis (FL)
Crane	Gunderson	Lewis (GA)
Cunningham	Hall (OH)	Lightfoot

Lipinski	Parker	Slattery
Livingston	Pastor	Slaughter
Lloyd	Patterson	Smith (FL)
Long	Paxon	Smith (IA)
Lowery (CA)	Payne (NJ)	Smith (NJ)
Lowey (NY)	Payne (VA)	Smith (OR)
Luken	Pelosi	Smith (TX)
Machtley	Penny	Snowe
Manton	Peterson (FL)	Solomon
Markey	Peterson (MN)	Spence
Marlenee	Petri	Spratt
Martin	Pickett	Staggers
Martinez	Porter	Stallings
Mavroules	Poshard	Stearns
McCandless	Price	Stenholm
McCloskey	Pursell	Stokes
McCollum	Quillen	Studds
McCrary	Rahall	Stump
McCurdy	Ramstad	Sundquist
McDade	Ravenel	Swett
McEwen	Ray	Synar
McHugh	Reed	Tallon
McMillan (NC)	Regula	Tanner
McNulty	Rhodes	Tauzin
Meyers	Richardson	Taylor (MS)
Mfume	Ridge	Taylor (NC)
Michel	Riggs	Thomas (CA)
Miller (CA)	Rinaldo	Thomas (WY)
Miller (OH)	Ritter	Thornton
Mineta	Roberts	Torres
Moakley	Roemer	Towns
Mollinari	Rogers	Trafficant
Mollohan	Rohrabacher	Unsoeld
Montgomery	Ros-Lehtinen	Upton
Moody	Rose	Valentine
Moorhead	Roth	Vander Jagt
Moran	Roukema	Vento
Morrison	Rowlan	Visclosky
Mrazek	Roybal	Volkmer
Murtha	Sabo	Vucanovich
Myers	Sanders	Walker
Nagle	Sangmeister	Walsh
Natcher	Sawyer	Washington
Neal (MA)	Saxton	Waters
Neal (NC)	Schaefer	Weber
Nichols	Schiff	Weldon
Nowak	Schroeder	Whitten
Nussle	Schulze	Williams
Oberstar	Schumer	Wise
Obey	Sensenbrenner	Wolf
Olin	Serrano	Wolpe
Oliver	Sharp	Wyden
Ortiz	Shaw	Wyllie
Orton	Shays	Yates
Owens (NY)	Shuster	Yatron
Owens (UT)	Sikorski	Young (AK)
Oxley	Sisisky	Young (FL)
Packard	Skaggs	Zelliff
Pallone	Skeen	Zimmer
Panetta	Skelton	

NOT VOTING—17

Andrews (NJ)	Gingrich	Russo
Boxer	Hatcher	Savage
Conyers	Hyde	Solarz
Coughlin	Kolter	Thomas (GA)
Dymally	Lehman (FL)	Traxler
Ford (TN)	Perkins	

□ 1751

Messrs. HOYER, STAGGERS, HERTEL, MANTON, and EDWARDS of California, Ms. SLAUGHTER, Mr. SCHUMER, Mrs. SCHROEDER, and Messrs. SMITH of Florida, LEHMAN of California, WYDEN, PANETTA, MINETA, FASCELL, GIBBONS, and LEVIN of Michigan changed their vote from "yea" to "nay."

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

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

STOCK RAISING HOMESTEAD ACT AMENDMENTS OF 1992

The SPEAKER pro tempore (Mr. McNULTY). The unfinished business is the question of suspending the rules and passing the bill, H.R. 450, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia [Mr. RAHALL] that the House suspend the rules and pass the bill, H.R. 450, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 248, nays 168, not voting 18, as follows:

[Roll No. 329]

YEAS—248

Abercrombie	Foglietta	McDermott
Ackerman	Ford (MI)	McGrath
Alexander	Frank (MA)	McHugh
Anderson	Frost	McMillan (NC)
Andrews (ME)	Gejdenson	McMillen (MD)
Andrews (NJ)	Gephardt	McNulty
Andrews (TX)	Geren	Mfume
Annuzio	Gibbons	Miller (CA)
Anthony	Gilchrest	Mineta
Aspin	Glickman	Mink
Atkins	Gonzalez	Moakley
AuCoin	Gordon	Mollohan
Bacchus	Goss	Montgomery
Barnard	Green	Moody
Beilenson	Hall (OH)	Moran
Berman	Hall (TX)	Morella
Bevill	Hamilton	Mrazek
Bilbray	Hancock	Natcher
Bilirakis	Harris	Neal (MA)
Boehlert	Hayes (IL)	Neal (NC)
Bonior	Hayes (LA)	Oakar
Borski	Hefley	Oberstar
Boucher	Hertel	Obey
Brewster	Hoagland	Olin
Brooks	Hochbrueckner	Olver
Browder	Horn	Owens (NY)
Brown	Hoyer	Owens (UT)
Bryant	Hubbard	Pallone
Bustamante	Hughes	Panetta
Campbell (CO)	Hutto	Parker
Cardin	Jacobs	Pastor
Carper	Jefferson	Patterson
Clay	Jenkins	Payne (NJ)
Clement	Johnson (SD)	Payne (VA)
Coleman (TX)	Johnston	Pease
Collins (IL)	Jontz	Pelosi
Collins (MI)	Kanjorski	Penny
Combest	Kaptur	Peterson (FL)
Condit	Kennedy	Peterson (MN)
Cooper	Kennelly	Price
Cox (IL)	Kildee	Rahall
Coyne	Kleczka	Ramstad
Cramer	Klug	Rangel
de la Garza	Kolbe	Ravenel
DeFazio	Kopetski	Ray
DeLauro	Kostmayer	Reed
Dellums	Lancaster	Regula
Dicks	Lantos	Richardson
Dingell	LaRocco	Rinaldo
Dixon	Laughlin	Roe
Dooley	Leach	Roemer
Dorgan (ND)	Lehman (CA)	Ros-Lehtinen
Downey	Lent	Rose
Durbin	Levin (MI)	Rostenkowski
Dwyer	Levine (CA)	Roukema
Early	Lewis (FL)	Roybal
Eckart	Lewis (GA)	Sabo
Edwards (CA)	Lightfoot	Sanders
Edwards (TX)	Lloyd	Sarpallus
Emerson	Long	Sawyer
Engel	Lowey (NY)	Scheuer
English	Luken	Schiff
Evans	Manton	Schroeder
Fascell	Markey	Schumer
Fawell	Martinez	Serrano
Fazio	Matsui	Sharp
Feighan	Mazzoli	Shaw
Fields	McCloskey	Shays
Flake	McCurdy	Sikorski

Sisisky	Swift	Washington
Skaggs	Synar	Waters
Slattery	Tanner	Waxman
Slaughter	Tauzin	Weiss
Smith (FL)	Taylor (MS)	Wilson
Smith (IA)	Thornton	Wise
Snowe	Torres	Wolf
Spratt	Torricelli	Wolpe
Staggers	Towns	Wyden
Stark	Unsoeld	Yates
Stenholm	Valentine	Yatron
Stokes	Vander Jagt	Young (FL)
Studds	Vento	Zimmer
Swett	Visclosky	

**NAYS—168**

Allard	Goodling	Ortiz
Allen	Gradison	Orton
Applegate	Grandy	Oxley
Archer	Guarini	Packard
Army	Gunderson	Paxon
Baker	Hammerschmidt	Petri
Ballenger	Hansen	Pickett
Barrett	Hastert	Porter
Barton	Hefner	Poshard
Bateman	Henry	Pursell
Bennett	Herger	Quillen
Bentley	Hobson	Rhodes
Bereuter	Holloway	Ridge
Blackwell	Hopkins	Riggs
Billey	Horton	Ritter
Boehner	Houghton	Roberts
Broomfield	Huckaby	Rogers
Bruce	Hunter	Rohrabacher
Bunning	Inhofe	Roth
Burton	Ireland	Rowland
Byron	James	Sangmeister
Callahan	Johnson (CT)	Santorum
Camp	Johnson (TX)	Schaefer
Campbell (CA)	Jones (GA)	Schulze
Carr	Jones (NC)	Sensenbrenner
Chandler	Kasich	Shuster
Chapman	Kyl	Skeen
Clinger	LaFalce	Skelton
Coble	Lagomarsino	Smith (NJ)
Coleman (MO)	Lewis (CA)	Smith (OR)
Costello	Lipinski	Smith (TX)
Cox (CA)	Livingston	Solomon
Crane	Lowery (CA)	Spence
Cunningham	Machtley	Stallings
Dannemeyer	Marlenee	Stearns
Darden	Martin	Stump
Davis	Mavroules	Sundquist
DeLay	McCandless	Tallon
Derrick	McCollum	Taylor (NC)
Dickinson	McCrery	Thomas (CA)
Donnelly	McDade	Thomas (WY)
Doolittle	McEwen	Traffiant
Dornan (CA)	Meyers	Traxler
Dreier	Michel	Upton
Duncan	Miller (OH)	Volkmer
Edwards (OK)	Miller (WA)	Vucanovich
Espy	Molinar	Walker
Ewing	Moorhead	Walsh
Fish	Morrison	Weber
Franks (CT)	Murphy	Weldon
Galleghy	Murtha	Wheat
Gallo	Myers	Whitten
Gaydos	Nagle	Williams
Gekas	Nichols	Wylie
Gillmor	Nowak	Young (AK)
Gilman	Nussle	Zeliff

**NOT VOTING—18**

Boxer	Gingrich	Pickle
Conyers	Hatcher	Russo
Coughlin	Hyde	Savage
Dymally	Kolter	Saxton
Erdreich	Lehman (FL)	Solarz
Ford (TN)	Perkins	Thomas (GA)

□ 1800

Mrs. LLOYD and Mr. FIELDS changed their vote from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

**PERMISSION FOR SUBCOMMITTEE ON LEGISLATION AND NATIONAL SECURITY AND SUBCOMMITTEE ON GOVERNMENT INFORMATION, JUSTICE, AND AGRICULTURE OF COMMITTEE ON GOVERNMENT OPERATIONS TO SIT ON TOMORROW DURING 5-MINUTE RULE**

Mr. WISE. Mr. Speaker, I ask unanimous consent that the Subcommittee on Legislation and National Security and the Subcommittee on Government Information, Justice, and Agriculture of the Committee on Government Operations be permitted to sit during proceedings under the 5-minute rule on Wednesday, July 29, 1992.

Mr. Speaker, the subcommittee requests have been cleared by the minority.

The SPEAKER pro tempore (Mr. ABERCROMBIE). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

**PERSONAL EXPLANATION**

Mr. WISE. Mr. Speaker, because of a meeting in West Virginia dealing with a hazardous waste site in Winfield that I had to convene today, I missed five votes.

Had I been present I would have voted "no" on rollcall No. 320, "yes" on rollcall 321, yes on rollcall 322, "yes" on rollcall 323, and "yes" on rollcall 324.

**RESIGNATION AS MEMBER OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT**

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Standards of Official Conduct:

JULY 24, 1992.

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

DEAR MR. SPEAKER: Effective herewith, I hereby resign from the Committee on Standards of Official Conduct.

Sincerely,

GARY L. ACKERMAN,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

**COMMUNICATION FROM HON. LEON E. PANETTA, MEMBER OF CONGRESS**

The SPEAKER pro tempore laid before the House the following communication from Hon. LEON E. PANETTA, Member of Congress:

WASHINGTON, DC,  
July 28, 1992.

Hon. THOMAS S. FOLEY.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that my office has been served

with a subpoena issued by the United States District Court of Northern District of California for materials related to a constituent casework matter.

After consultation with the General Counsel to the Clerk, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

LEON E. PANETTA,  
Member of Congress.

**PERSONAL EXPLANATION**

Mr. PAYNE of New Jersey. Mr. Speaker, I was delayed today, speaking at the National Urban League in San Diego, and I missed a number of votes.

Had I been present I would have voted as follows:

Rollcall, 320, "no"; rollcall 321, "aye"; rollcall 322, "aye"; rollcall 323, "aye" rollcall 324, "aye" rollcall 325, "no" and rollcall 326, "aye".

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken on Wednesday, July 29, 1992.

**THOMAS JEFFERSON COMMEMORATION COMMISSION ACT**

Mr. MORAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5056) to establish a commission to commemorate the 250th anniversary of the birth of Thomas Jefferson, as amended.

The Clerk read as follows:

H.R. 5056

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Thomas Jefferson Commemoration Commission Act".

**SEC. 2. CONGRESSIONAL FINDINGS.**

The Congress finds that—

- (1) April 13, 1993, marks the 250th anniversary of the birth of Thomas Jefferson;
- (2) as author of the Declaration of Independence, Thomas Jefferson conceived and executed an affirmation of democratic government unequalled in both its eloquence and clarity;
- (3) in an age of democratic awakening, Thomas Jefferson worked to promote government based on the consent of the people, to hold rulers continually responsible to the ruled, and to secure fundamental rights and liberties of free citizens;
- (4) Thomas Jefferson was elected 3d President of the United States in 1801 and helped to establish the process by which ongoing political change is carried forward through public debate and free elections;
- (5) with the Louisiana Purchase, Thomas Jefferson virtually doubled the size of the United States;

(6) the genius of Thomas Jefferson extended beyond the realm of politics and government to the adaptation of classic architecture, as exemplified by his home at Monticello and the grounds of the University of Virginia, which set an American standard of dignity, simplicity, and elegance;

(7) Thomas Jefferson encouraged American science in its infancy, and with his friend James Madison, laid the cornerstone of the American tradition of religious freedom and separation of church and state;

(8) Thomas Jefferson also championed universal public education, believing such education essential to democratic government as well as to advancement of knowledge and the pursuit of happiness;

(9) it is appropriate to remember and renew the legacy of Thomas Jefferson for the American people and, indeed for all mankind, during a time when the light of democracy is again bursting upon the world; and

(10) as the Nation approaches the 250th anniversary of the birth of Thomas Jefferson, it is appropriate to celebrate and commemorate this anniversary through local, national, and international observances and activities planned and coordinated by a national commission.

### SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Thomas Jefferson Commemoration Commission (in this Act referred to as the "Commission").

### SEC. 4. DUTIES.

The Commission shall—

(1) plan and develop programs and activities appropriate to commemorate the 250th anniversary of the birth of Thomas Jefferson, including a limited number of projects to be undertaken by the Federal Government that harmonize and balance the important goals of ceremony and celebration with the equally important goals of scholarship and education;

(2) generally coordinate activities throughout the several States;

(3) honor historical locations associated with the life of Thomas Jefferson;

(4) recognize individuals and organizations that have significantly contributed to the preservation of Jefferson's ideals, writings, architectural designs, and other professional accomplishments, by the award and presentation of medals and certificates;

(5) encourage civic, patriotic, and historical organizations, and State and local governments, to organize and participate in anniversary activities commemorating the birth of Thomas Jefferson; and

(6) develop and coordinate any other activities relating to the anniversary of the birth of Thomas Jefferson as may be appropriate.

### SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 21 members, including—

(A) the Chief Justice of the United States or such individual's delegate;

(B) the Librarian of Congress or such individual's delegate;

(C) the Archivist of the United States or such individual's delegate;

(D) the President pro tempore of the Senate or such individual's delegate;

(E) the Speaker of the House of Representatives or such individual's delegate;

(F) the Secretary of the Interior or such individual's delegate;

(G) the Secretary of the Smithsonian Institution or such individual's delegate;

(H) the Secretary of Education or such individual's delegate;

(I) the Chairman of the National Endowment for the Humanities or such individual's delegate;

(J) the Executive Director of the Thomas Jefferson Memorial Foundation or such individual's delegate; and

(K) 11 citizens of the United States who are not officers or employees of any government, except to the extent they are considered such officers or employees by virtue of their membership on the Commission.

(2) APPOINTMENTS BY PRESIDENT.—

(A) IN GENERAL.—The individuals referred to in paragraph (1)(K) shall be appointed by the President. The individuals shall be chosen based on their distinctive qualifications or experience in the fields of history, government, architecture, the applied sciences, or other professions that would enhance the work of the Commission and reflect the professional accomplishments of Thomas Jefferson.

(B) POLITICAL AFFILIATION.—Not more than 6 of the individuals appointed under subparagraph (A) may be affiliated with the same political party.

(C) RECOMMENDATIONS.—Of the individuals appointed under subparagraph (A)—

(i) 3 shall be appointed from among individuals who are recommended by the majority leader of the Senate in consultation with the minority leader of the Senate; and

(ii) 3 shall be appointed from among individuals who are recommended by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives.

(b) TERMS.—Each member of the Commission shall be appointed not later than 90 days after the date of the enactment of this Act for the life of the Commission.

(c) VACANCIES.—A vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) CHAIRPERSON.—The President shall designate the chairperson of the Commission from among the individuals appointed under subsection (a)(2).

(e) COMPENSATION.—

(1) RATES OF PAY.—Except as provided in paragraph (2), members of the Commission shall serve without pay.

(2) TRAVEL EXPENSES.—Each member of the Commission may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(f) MEETINGS.—The Commission shall meet at the call of the chairperson or a majority of its members.

(g) APPROVAL OF ACTIONS.—All official actions of the Commission under this Act shall be approved by the affirmative vote of not less than a majority of the members.

### SEC. 6. POWERS.

(a) ADVISORY COMMITTEES.—The Commission may appoint such advisory committees as it determines to be necessary to carry out this Act.

(b) DELEGATION OF AUTHORITY.—Any member or employee of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take by this Act.

(c) CONTRACT AUTHORITY.—

(1) IN GENERAL.—The Commission may procure supplies, services, and property, and make or enter into contracts, leases, or other legal agreements, in order to carry out this Act.

(2) RESTRICTION.—The contracts, leases, or other legal agreements made or entered into by the Commission shall not extend beyond the date of termination of the Commission.

(3) TERMINATION.—All supplies and property acquired by the Commission under this Act that remain in the possession of the Commission on the date of termination of the Commission shall become the property of the General Services Administration upon the date of the termination.

(d) INFORMATION.—

(1) IN GENERAL.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out this Act. Upon request of the chairperson of the Commission, the head of the Federal agency shall furnish the information to the Commission.

(2) EXCEPTION.—Paragraph (1) shall not apply to any information that the Commission is prohibited to secure or request by another law.

(e) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

### SEC. 7. STAFF AND SUPPORT SERVICES.

(a) EXECUTIVE DIRECTOR.—The Commission shall have an executive director appointed by the chairperson of the Commission with the advice of the Commission. The executive director may be paid at a rate not to exceed the maximum rate of basic pay payable for GS-15 of the General Schedule.

(b) STAFF.—The Commission may appoint and fix the pay of additional personnel as it considers appropriate, except that an individual so appointed may not receive pay in excess of the maximum rate of basic pay payable for GS-13 of the General Schedule.

(c) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The executive director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except as provided in subsections (a) and (b).

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the chairperson of the Commission, the head of any Federal agency may detail, on a nonreimbursable basis, any of the personnel of the agency to the Commission to assist it in carrying out its duties under this Act.

(e) EXPERTS AND CONSULTANTS.—The chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at a rate which does not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

### SEC. 8. CONTRIBUTIONS.

(a) DONATIONS.—The Commission may accept donations of money, personal services, and property, both real and personal, including books, manuscripts, miscellaneous printed matter, memorabilia, relics and other materials related to Thomas Jefferson.

(b) USE OF FUNDS.—

(1) IN GENERAL.—Any funds donated to the Commission may be used by the Commission to carry out this Act. The source and amount of such funds shall be listed in the interim and final reports required under section 9.

(2) PROCUREMENT REQUIREMENTS.—In addition to any procurement requirement other-

wise applicable to the Commission, the Commission shall conduct procurements of property or services involving donated funds pursuant to the small purchase procedures required by section 303(g) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)). Section 15(j) of the Small Business Act (15 U.S.C. 644(j)) shall not apply to such procurements.

(3) DEFINITION.—For purposes of paragraph (2), the term "donated funds" means any funds of which 50 percent or more derive from funds donated to the Commission.

(c) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(d) REMAINING FUNDS.—Funds remaining upon the date of termination of the Commission shall be used to ensure the proper disposition of property donated to the Commission as specified in the final report required by section 9.

#### SEC. 9. REPORTS.

(a) INTERIM REPORT.—Not later than December 31, 1992, the Commission shall prepare and submit to the President and the Congress a report detailing the activities of the Commission, including an accounting of funds received and expended by the Commission, during the period beginning on the date of the enactment of this Act and ending not earlier than 30 days prior to the submission of the interim report.

(b) FINAL REPORT.—Not later than December 31, 1993, the Commission shall submit to the President and to the Congress a final report. The final report shall contain—

(1) a summary of the activities of the Commission;

(2) a final accounting of funds received and expended by the Commission;

(3) the findings, conclusions, and recommendations of the Commission;

(4) specific recommendations concerning the final disposition of historically significant items donated to the Commission under section 8(a); and

(5) any additional views of any member of the Commission concerning the Commission's recommendations that such member requests to be included in the final report.

#### SEC. 10. AUDIT OF FINANCIAL TRANSACTIONS.

(a) IN GENERAL.—The Inspector General of the General Services Administration shall audit financial transactions of the Commission, including financial transactions involving donated funds, in accordance with generally accepted auditing standards. In conducting an audit pursuant to this section, the Inspector General shall have access to all books, accounts, financial records, reports, files, and other papers, items, or property in use by the Commission, as necessary to facilitate the audit, and shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) REPORTS.—Not later than December 31, 1992, the Inspector General of the General Services Administration shall submit to the President and to the Congress a report detailing the results of any audit of the financial transactions of the Commission conducted before such date. Not later than March 4, 1994, such Inspector General shall submit to the President and to the Congress a report detailing the results of any audit of the financial transactions of the Commission conducted during the period beginning on December 31, 1992, and ending on December 31, 1993.

#### SEC. 11. TERMINATION.

The Commission shall terminate not later than 60 days following submission of the final report required by section 9.

#### SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$250,000 for fiscal year 1993 and \$62,500 for fiscal year 1994.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia [Mr. MORAN] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. RIDGE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Virginia [Mr. MORAN].

#### GENERAL LEAVE

Mr. MORAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the bill presently under consideration.

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

There was no objection.

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

There may be no man that this Congress and our Nation owe a greater debt to than Thomas Jefferson. Thomas Jefferson was the embodiment of the American Renaissance man. He conceptualized the principles for which the American Revolution was fought, and articulated those reasons in a clear and moving document that stands as one of the greatest testaments to man's freedom and destiny in the history of mankind. He created a university in Virginia that has established a national standard for excellence in education. He established our principles of religious freedom and separation of church and state. And, closer to home, Thomas Jefferson not only established the Democratic Party, but he also compiled the Manual of Parliamentary Practice that guides our legislative debates today. On April 13, 1993, we will have an opportunity to demonstrate our appreciation for the contributions Thomas Jefferson has made to Virginia and the United States by celebrating the 250th anniversary of his birth.

To commemorate the birth of Thomas Jefferson and to coordinate all the associated activities, the Committee on Post Office and Civil Service has recently reported legislation, introduced by our colleague GEORGE ALLEN, in whose district Jefferson's home, Monticello, is located, that would establish a Federal commission to plan, develop, and coordinate activities and programs celebrating the 250th anniversary of Thomas Jefferson's birth. The Commission would be composed of 21 members, including representatives of certain Federal departments and agencies, and 11 private citizens. Six of the eleven nonagency head commissioners would be appointed from the House and Senate. These Commissioners would serve

without pay, except for reimbursements for travel expenses related to their official business.

This bill is a modest proposal that limits the involvement and financial commitment of the Federal Government. It ensures that the President and Congress play a major role in selecting members of the Thomas Jefferson Commemoration Commission. The Commission will also be forced to look primarily to individual and corporate donations for funding because of stringent limits on Federal funding. Total appropriations authorized by this bill are limited to \$250,000 for fiscal year 1993 and only \$62,500 for fiscal year 1994. The Census and Population Subcommittee of the Post Office and Civil Service Committee has worked closely with Representative ALLEN to improve this legislation and to ensure that this Commission does not repeat the mistakes of the past. I strongly believe that this effort will be a model for future commissions.

To ensure that the Thomas Jefferson Commemoration Commission is able to conduct its activities in 1993, the Congress must act now to both authorize and appropriate funds. I urge my colleagues to join me in support of this important legislation.

We will now hear from the gentleman from Virginia [Mr. ALLEN] in whose district Monticello is located, which is the home of Thomas Jefferson and which he in fact designed. And I think we have support on both sides of the aisle for this bill.

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

Mr. RIDGE. Mr. Speaker, I yield such time as he might consume to the gentleman from Virginia [Mr. ALLEN], the principal mover and prime sponsor of this legislation, who has probably shown more patience and more persistence during this Congress in order to bring this matter to the floor today than any other Member.

Mr. ALLEN. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. RIDGE] for yielding the time, and I thank the gentleman from Virginia [Mr. MORAN] for his remarks.

Mr. Speaker, I rise in strong support of H.R. 5056, which would establish a commission to help commemorate the 250th anniversary of the birth of Thomas Jefferson. On May 5, 1992, I reintroduced this legislation with bipartisan support, including sponsorship by the entire Virginia delegation. I deeply appreciate the assistance and support of the distinguished chairman of the Subcommittee on Census and Population, Congressman SAWYER; the ranking Republican member, Congressman RIDGE; as well as the subcommittee staff, which has been tremendously helpful in crafting this legislation. We have worked hard to create a bill which I hope will have bipartisan support in the House.

April 13, 1993 will mark the 250th anniversary of the birth of Thomas Jefferson at Shadwell in Albemarle County, VA. Lectures, films, symposiums, and other educational events are being planned to honor Thomas Jefferson upon this milestone in our history.

□ 1810

The Commission established by H.R. 5056 is vitally necessary if we are to properly commemorate on a national and international level the enormous achievement and contribution of Thomas Jefferson to the formation and spirit of liberty in the United States. The ideals for which Mr. Jefferson fought are also embodied in the democratic revolutions which are unbounding people from tyranny all over the world. Great strides have been made, but the world is still not free from the evils of totalitarian government. We have a tremendous opportunity with this legislation to perpetuate the legacy of Thomas Jefferson, not only for the benefit of future generations of Americans, but for people all over the world who are hopeful for a chance to live in a free society. Americans, nevertheless, can continue to benefit from education and remember the founding principles of our Nation.

Americans and this Congress should frequently revisit the legacy of Mr. Jefferson in the formation of our country. This measure partially lists the impact Mr. Jefferson has had on this country.

Obviously everyone knows he was an author of the Declaration of Independence, which was conceived and executed as an affirmation of democratic government, which is an unequalled document in both its eloquence and its clarity. In an age of democratic awakening, Thomas Jefferson worked to promote government based on the consent of the people. That was a novel idea in those days, and it is a principle that rulers ought to be continually responsible to the rules and to secure fundamental rights and liberties for free citizens.

Thomas Jefferson, as we know, was elected third President of the United States and helped establish the process by which ongoing political change is carried forward through public debate and free elections. He was also the President who nearly doubled the size of the United States through the Louisiana Purchase.

The genius of Thomas Jefferson extended, though, beyond the realm of politics and government to the adaptation of classical architecture, exemplified by his home, Monticello, and the grounds of the University of Virginia, which has set a standard of dignity and simplicity and elegance.

Thomas Jefferson encouraged American science in its infancy, and with his friend, James Madison, laid the corner-

stone of the American tradition of religious freedom and separation of church and state.

Mr. Jefferson was also a champion of universal public education, believing such education essential to democratic government as well as the advancement of knowledge and the pursuit of happiness.

It is appropriate, therefore, that this Congress remember and renew the legacy of Mr. Jefferson for the people of America and, indeed, for all mankind, during a time when the light of democracy is again bursting upon the world.

Mr. Speaker, I share the concerns of many Members of the House regarding problems which have occurred with recent federally funded commissions. Without adequate safeguards and accounting, we have seen Federal commissions misuse the Federal funds appropriated to them. However, I am pleased we have been able to engage in a truly bipartisan effort to redraft this proposal with reduced funding levels and, Mr. Speaker, Mr. Jefferson would like that that we about halved the original funding of it, since he thought frugality was important, as well as I do, and we have reduced the funding levels, and we have some sound auditing and procurement procedures to ensure adequate accountability of the Federal funds involved. Section 10 of the bill requires the inspector general of the General Services Administration to audit the financial transactions of the commission in accordance with generally accepted auditing standards. This provision of the bill will help ensure the proper use of Federal funds. In addition, I have enormous confidence in the executive director of the Thomas Jefferson Memorial Foundation and the other scholars and statesmen who will serve on this Commission. Indeed, the community of Jefferson enthusiasts all across this country and scholars at Monticello and around the country is well established and highly respected. The safeguards in the bill as well as the caliber of individuals who are likely to be involved with the Commission reduce any chances of the misuse of funds.

As you may know, Senator JOHN WARNER and my predecessor, Congressman D. French Slaughter, Jr., first introduced legislation to establish the Commission last year. Senator WARNER's bill, S. 959, has passed the Senate unanimously. Since April 13, 1993, is so near, there is a real urgency to get this Commission up and running as soon as possible.

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

Mr. MORAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. SAWYER], the distinguished and very able chairman of the Subcommittee on Census and Population of the Committee on Post Office and Civil Service.

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

Mr. Speaker, I rise in support of H.R. 5056, the Thomas Jefferson Commemoration Commission Act.

This legislation would establish a national commission to commemorate the 250th anniversary of the birth of the author of the Declaration of Independence through various national educational programs, scholarships, and celebrations. The bill authorizes a modest appropriation of \$250,000 in fiscal year 1993 and \$62,500 in fiscal year 1994, and authorizes the Commission to accept donations of money, personal services, and property to carry out its duties.

The Subcommittee on Census and Population, which I chair, took great care in its review of H.R. 5056. The caution stemmed from concerns about the structure of the Commission vehicle for the commemoration.

Last year, the subcommittee pursued an intensive investigation of another Federal Commission that was charged with coordinating activities in celebration of a historical event. That investigation, carried out with the assistance of the General Accounting Office [GAO], revealed chronic and debilitating weaknesses in the structure of Federal holiday commissions that made them vulnerable to mismanagement and poor administration.

I am pleased to say that with the continued help of GAO, and with the full cooperation of Congressman ALLEN, we have been able to develop a sound organizational and working structure for the proposed Jefferson Commission.

As reported by the Committee on Post Office and Civil Service, H.R. 5056 includes the necessary safeguards and oversight mechanisms to ensure that taxpayer dollars are spent wisely in planning and preparing for activities and events in honor of Thomas Jefferson.

Examples of these safeguards include the appointment of the Chairman by the President, instead of the Commission electing a chairman from among themselves, a group of people they may not know very well, if at all.

The inspector general of GSA would be required to conduct two audits of the Commission. The Commission would be required to submit interim and final reports to Congress, including an accounting of funds received and expended.

Finally, the bill does not authorize the licensing of any logo or symbol certified by the Commission for the purpose of raising revenues for Commission programs or for any other commercial venture. Such efforts have proven to be unmanageable in the past and have not added to revenues for similar commissions.

Clearly, Thomas Jefferson is deserving of the recognition this legislation

proposes to bestow upon him. His legacy of democratic ideals and principles not only has served Americans well for over 200 years, it continues to fuel democratic movements around the world.

Finally, I want to thank Congressman ALLEN, the bill's sponsor, for his sensitivity to the committee's concerns and for his willingness to work with us in developing a proposal that we could support.

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

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

Mr. GILMAN. Mr. Speaker, I rise in strong support of H.R. 5056 and I want to take this opportunity to thank my good friend the gentleman from Ohio, [Mr. SAWYER], chairman of the Subcommittee on Census and Population and the gentleman from Pennsylvania [Mr. RIDGE], the ranking member of the subcommittee, and the gentleman from Missouri [Mr. CLAY], the distinguished chairman of the full committee, and the gentleman from Virginia [Mr. MORAN] for expeditiously considering this measure.

Mr. Speaker, I commend the gentleman from Virginia, Mr. ALLEN, for introducing this measure and for his continuing perseverance of the effort started by our good friend and former colleague from Virginia, Mr. Slaughter.

Mr. Speaker, I strongly support H.R. 5056 which establishes a Federal commission to appropriately celebrate the 250th anniversary of the birth of Thomas Jefferson. The Commission would provide us with the opportunity to recognize and commemorate the contributions and accomplishments of this great statesman as well as enabling us to rediscover the democratic principles espoused by Thomas Jefferson. Establishment of the Thomas Jefferson Commission would permit Congress and the United States to perpetuate Jeffersonian ideals and principles in our Nation and throughout the world. The Commission would allow us to share in his legacy.

Accordingly, I urge my colleagues to support H.R. 5056.

□ 1820

Mr. MORAN. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Virginia [Mr. PAYNE].

Mr. PAYNE of Virginia. Mr. Speaker, I want to thank my colleague, the gentleman from Virginia.

I rise in strong support of H.R. 5056, which is a bill to create a Federal commission to assist in the planning of the commemoration of the 250th birthday of Thomas Jefferson.

I commend my colleague, the gentleman from Virginia [Mr. ALLEN] for the fine job that he has done in bring-

ing forth this legislation to the floor this evening.

I would also like to thank Chairman CLAY and ranking member GILMAN for the work that they have done and thank the gentleman from Ohio [Mr. SAWYER], the chairman of the subcommittee, and the ranking member, the gentleman from Pennsylvania [Mr. RIDGE] who have done a very thoughtful and thorough job on this legislation, and I believe it will become a model for other legislation as well.

The timing of this commemoration could not be more appropriate. We are not just recognizing the birth and the contributions of a great American patriot—we are celebrating our democracy, our ideals, and our freedoms.

In this country, Americans are preparing once again to exercise one of our greatest freedoms and responsibilities—the right to choose those who will govern and lead us into the 21st century.

Around the globe, nations are emerging from the darkness of tyranny into the light of freedom and self-determination, guided and encouraged by the promise and hope of the democratic principles and ideals that Jefferson defined and nurtured two centuries ago.

H.R. 5056 proposes to establish a commission to assist in the commemoration planned for next year to celebrate the 250th anniversary of the birth of Thomas Jefferson, the chief architect of America's enduring and successful experiment with democracy.

Thomas Jefferson's legacy was profound. He believed that the only legitimate government was one which was based on the active consent of the people. He believed that those in government must be held responsible and accountable to the governed. He believed that if the United States was to achieve its ambition and promise, it had to secure, protect, and promote individual rights and liberties against the power—and potential abuse—of the State.

Thomas Jefferson, as we have heard earlier in this debate, in addition to his many other interests was an architect. He designed the grounds at the University of Virginia, designed his well-known home, Monticello, near Charlottesville, which is visited each year by thousands of people from around the world.

Thomas Jefferson's other home, his retreat at Poplar Forest near Lynchburg, VA, is now in the early stages of restoration and rehabilitation.

Jefferson designed Poplar Forest as his personal retreat as he stepped down from public life.

Poplar Forest is a very personal work of architecture, a design that both shelters and inspires.

It is my hope that as we celebrate the anniversary of Thomas Jefferson's birth, we can also advance the preservation of Poplar Forest, the home

which nourished him at the end of his life.

As Thomas Jefferson prepared for his death, he wrote this epitaph:

Here was buried Thomas Jefferson, author of the Declaration of American Independence, of the statute of Virginia for religious freedom, and father of the University of Virginia.

In the simple and humble dignity of those 27 words, Jefferson wanted to be remembered as an American citizen, not a statesman.

This Commission will help us commemorate his 250th birthday and the memory of a great man.

The work of the Commission will help remind those in Government that we serve at the will of the people. And it will help to remind all Americans of their responsibilities as citizens in this great democracy.

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

Mr. Speaker, we have no further requests for time. We would be remiss, however, if we did not underscore once again the initiative undertaken by our friend and former colleague, French Slaughter, to bring this matter to the Congress of the United States several years ago, and fortunately for this Commission and for French, the ever-ubiquitous and hard-working, persistent, and very accommodating gentleman from Virginia [Mr. ALLEN] who succeeded him in that venture.

I also wanted to hold out for special comment the good work of our ranking majority member, our friend and colleague, the gentleman from Ohio [Mr. SAWYER].

Mr. Speaker, I rise in full support of H.R. 5056. I would like to thank Chairman CLAY and Chairman SAWYER for moving this bill through the legislative process so promptly. I commend our colleagues, GEORGE ALLEN and his predecessor, D. French Slaughter, for all their hard and arduous work on this bill. I know personally that both these Members have been dedicated to seeing that this bill is passed by Congress.

I would also like to thank them for their patience with this subcommittee and working with us in strengthening some of the provisions in the bill. Thomas Jefferson once wrote that delay is preferable to error, and I believe that by delaying action on this bill did prevent error.

We have had problems in the past with the operations of Federal commissions. I never thought that the Subcommittee on Census and Population would ever consider legislation to establish a Federal commission while my good friend TOM SAWYER was the chairman and I was the ranking member. However, I would like to stress that this legislation has been drafted with strong and careful language to ensure that problems that have occurred with other Federal commissions will not occur with the Thomas Jefferson Commemoration Commission.

The democratic principles espoused by Thomas Jefferson have not been put to rest in the National Archives as part of this country's history, but continue to be as alive today as they were at the birth of this great Nation. As I have been watching the Olympics these past few days, I am again astounded by the changes that have taken place in this world over the past 4 years and I have to wonder if these changes would have happened without Thomas Jefferson's words to haunt and to challenge the emerging democracies of the Eastern bloc countries.

As H.R. 5056 states in its findings as the Nation approaches the 250th anniversary of the birth of this great American, it is appropriate to create a Federal commission to plan and coordinate activities to celebrate and commemorate this anniversary. I would like to urge all Members to join me in supporting this bill.

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

I want to recognize the leadership of the chairman of the full committee, the gentleman from Missouri [Mr. CLAY] on this bill, and to recognize Terri Ann Lowenthal, the staff person for the subcommittee that brought this bill forward, and my own staff person, Michael Brown.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. MORAN] that the House suspend the rules and pass the bill, H.R. 5056, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. MORAN. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate bill (S. 959) to establish a commission to commemorate the 250th anniversary of the birth of Thomas Jefferson, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 959

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Thomas Jefferson Commemoration Act".

#### SEC. 2. FINDINGS.

The Congress finds and recognizes that—

(1) April 13, 1993, marks the 250th anniversary of the birth of Thomas Jefferson;

(2) as author of the Declaration of Independence, Thomas Jefferson conceived and executed an affirmation of democratic government unequalled in both its eloquence and clarity;

(3) in an age of democratic awakening, Thomas Jefferson worked to promote government based on the consent of the people, to hold rulers continually responsible to the ruled, and to secure fundamental rights and liberties of free citizens;

(4) Thomas Jefferson was elected third President of the United States in 1801 and helped to establish the process by which ongoing political change is carried forward through public debate and free elections;

(5) with the Louisiana Purchase, Thomas Jefferson virtually doubled the size of the United States;

(6) the genius of Thomas Jefferson also extended beyond the realm of politics and government, adapted classic architecture as exemplified by his home at Monticello and the grounds of the University of Virginia, set an American standard of dignity, simplicity, and elegance;

(7) Thomas Jefferson encouraged American science in its infancy, and with his friend James Madison, laid the cornerstone of the American tradition of religious freedom and separation of church and state;

(8) Thomas Jefferson also championed universal public education, believing such education essential to democratic government as well as to advancement of knowledge and the pursuit of happiness;

(9) it is appropriate to remember and renew the legacy of Thomas Jefferson for the American people and, indeed for all mankind, during a time when the light of democracy is again bursting upon the world; and

(10) as the Nation approaches the 250th anniversary of the birth of Thomas Jefferson, it is appropriate to celebrate and commemorate this anniversary through local, national, and international observances and activities planned and coordinated by a national commission representative of appropriate individual, public, and private officials and organizations.

#### SEC. 3. ESTABLISHMENT.

There is established the Thomas Jefferson Commemoration Commission (hereafter referred to as the "Commission"), to promote and coordinate activities in commemoration of the 250th anniversary of the birth of Thomas Jefferson.

#### SEC. 4. FUNCTIONS OF THE COMMISSION.

The Commission shall—

(1) plan and develop programs and activities appropriate to commemorate the 250th anniversary of the birth of Thomas Jefferson, including a limited number of projects to be undertaken by the Federal Government seeking to harmonize and balance the important goals of ceremony and celebration with the equally important goals of scholarship and education;

(2) generally coordinate activities throughout the States;

(3) honor historical locations associated with the life of Thomas Jefferson;

(4) sponsor at least one international symposium pertaining to Jefferson's legacy, to be composed of scholars, public officials, and private citizens;

(5) recognize individuals and organizations that have significantly contributed to the preservation of Jefferson's ideals, writings, architectural designs, and other professional accomplishments, by the award and presentation of medals and certificates;

(6) encourage civic, patriotic, and historical organizations, and State and local governments to organize and participate in anniversary activities commemorating Jefferson's birth; and

(7) develop and coordinate any other activities as may be appropriate.

#### SEC. 5. MEMBERSHIP AND COMPOSITION.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 18 members, including—

(1) the Librarian of Congress or his delegate;

(2) the Archivist of the United States or his delegate;

(3) the President pro tempore of the Senate or his delegate;

(4) the Speaker of the House of Representatives or his delegate;

(5) the Secretary of the Interior or his delegate;

(6) the Secretary of the Smithsonian Institution or his delegate;

(7) the Executive Director of the Thomas Jefferson Memorial Foundation or his delegate;

(8) 5 private citizens of the United States, appointed by the President, no more than 3 of whom shall be affiliated with the same political party;

(9) 3 private citizens of the United States, selected by the Majority Leader of the Senate, in consultation with the Minority Leader, no more than 2 of whom shall be affiliated with the same political party; and

(10) 3 private citizens of the United States, selected by the Speaker of the House of Representatives, in consultation with the Minority Leader, no more than 2 of whom shall be affiliated with the same political party.

(b) APPOINTMENTS AND TERMS.—(1) IN GENERAL.—Each member shall be appointed within 90 days after the date of enactment of this Act, for the life of the Commission.

(2) CHAIRMAN.—At the time the President nominates individuals for appointment to the Commission pursuant to subsection (a)(8), the President shall designate one such individual who shall serve as Chairman of the Commission.

(3) VACANCY.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(4) REPRESENTATION.—Individuals appointed under paragraphs (8), (9), and (10) of subsection (a), shall be representative, to the maximum extent possible, of the full range of United States citizens. The Commission members shall be chosen based on their distinctive qualifications or experience in the fields of history, government, architecture, the applied sciences, or other professions that would enhance the work of the Commission and reflect the professional accomplishments of Thomas Jefferson.

(c) COMPENSATION AND TRAVEL.—(1) COMPENSATION.—(A) Except as otherwise provided under paragraphs (2) and (3), each member, other than the Chairman, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel-time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) The Chairman shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate or basic pay for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(2) FEDERAL EMPLOYEES.—Members of the Commission who are full-time officers or em-

ployees of the United States or Members of Congress shall receive no additional pay on account of their service on the Commission.

(3) TRAVEL.—While away from their homes or regular places of business in the performance of services for the Commission, members and employees of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

#### SEC. 6. POWERS OF THE COMMISSION.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman or a majority of its members.

(b) APPROVAL OF ACTIONS.—All official actions of the Commission under this Act shall be approved by the affirmative vote of no less than a majority of the Commissioners.

(c) ADVISORY COMMITTEES.—The Commission may appoint such ex officio advisory committees as it determines necessary to carry out the provisions of this Act.

(d) POWERS OF MEMBERS AND EMPLOYEES.—Any member or employee of the Commission may, to the extent authorized by the Commission, take any action which the Commission is authorized to take by this Act.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at the rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) PROCUREMENT OF SUPPLIES, SERVICES, AND PROPERTY.—The Commission may procure supplies, services, and property, and make or enter into contracts, leases, or other legal agreements in order to carry out the provisions of this Act. No contracts, leases, or other legal agreements made or entered into by the Commission shall extend beyond the date of termination of the Commission. All supplies and property acquired by the Commission under this Act which remain in the possession of the Commission on the date of termination of the Commission shall become the property of the General Services Administration upon the date of termination.

(g) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(h) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(i) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

#### SEC. 7. EXECUTIVE DIRECTOR AND STAFF.

(a) EXECUTIVE DIRECTOR.—The Chairman, with the advice of the Commission, shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, an executive director who may be compensated at a rate not to exceed the rate of basic pay payable for level IV of the Executive Schedule established under section 5315 of such title.

(b) ADDITIONAL PERSONNEL.—The Commission may appoint and fix the compensation

of additional personnel, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the rate of pay for such personnel may not exceed the rate payable for level V of the Executive Schedule under 5316 of such title.

(c) PERSONNEL DETAIL AUTHORIZED.—Upon request of the chairman, the head of any Federal agency is authorized to detail, on a reimbursable or nonreimbursable basis, any of the personnel of such agency to the Commission to assist in carrying out its duties under this Act.

#### SEC. 8. CONTRIBUTIONS TO THE COMMISSION.

(a) DONATIONS.—The Commission is authorized to accept donations of money, personal services, and property including books, manuscripts, miscellaneous printed matter, memorabilia, relics and other materials related to Thomas Jefferson.

(b) USE OF FUNDS.—Funds donated to the Commission may be used by the Commission in order to carry out the purposes of this Act. The source and amount of such funds shall be listed in the interim and final reports under section 9.

(c) VOLUNTEER SERVICES.—The Commission may accept the volunteer services of private individuals or companies as the Commission determines necessary.

(d) REMAINING FUNDS.—Funds remaining upon the date of termination of the Commission shall be used to ensure the proper disposition of property donated to the Commission as specified in the Commission's final report under section 9.

#### SEC. 9. REPORT.

(a) INTERIM REPORT.—No later than December 31, 1992, the Commission shall prepare and submit to the Congress and the President of the United States a report on the activities of the Commission. The report shall include an accounting of funds received and expended by the Commission, including a description of the products or services received by the Commission in connection with the expenditures, the identity of the provider of the products or services, and the amount paid to the provider by the Commission.

(b) FINAL REPORT.—No later than December 31, 1993, the Commission shall submit to the President and to the Congress a final report. The final report shall contain the findings, conclusions, and recommendations of the Commission. The final report shall include a final accounting of funds received and expended by the Commission, including a description of the products or services received by the Commission in connection with the expenditures, the identity of the provider of the products or services, and the amount paid to the provider by the Commission. Specific recommendations concerning the final disposition of historically significant items donated to the Commission under section 8 shall also be contained in the final report.

(c) ADDITIONAL VIEWS.—The final report shall include additional views of members concerning the Commission's recommendations under subsection (b), at the request of such members.

#### SEC. 10. TERMINATION.

The Commission shall terminate no later than 60 days following submission of the final report required by section 8.

#### SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the provisions of this Act \$250,000

for the 1992 fiscal year, \$250,000 for the 1993 fiscal year, and \$125,000 for the period beginning on October 1, 1993, and ending on December 31, 1993. Amounts appropriated under this section for any fiscal year shall remain available until 60 days after December 31, 1993. The total appropriations authorized under this Act for the purpose of this Act shall not exceed \$625,000.

MOTION OFFERED BY MR. MORAN

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

The Clerk read as follows:

Mr. MORAN moves to strike out all after the enacting clause of S. 959 and to insert in lieu thereof the provisions of H.R. 5056, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 5056) was laid on the table.

#### IN MEMORY OF JEANNE HYDE

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

Mr. PORTER. Mr. Speaker, the people of Illinois and our Nation have lost a very great lady. After a long and courageous battle, Jeanne Hyde, wife of our colleague HENRY HYDE, passed away today. Her loss is felt by all of us in this House, and everyone who was fortunate enough to know her.

I first met Jeanne when I served with HENRY in the Illinois General Assembly—in fact, the very first vote I ever cast in any legislative body was to vote for HENRY HYDE for speaker of the Illinois House. Jeanne was an inspiration then, and she continued to shine her special light wherever she went throughout her life.

She served as an aide to Presidents Reagan and Bush, and always touched those around her with her grace, compassion, and humor. Today, family, friends, and those who have worked with Jeanne Hyde in the White House and in Illinois are remembering her delightful spirit and how it inspired all of us.

In particular, her bravery in fighting her illness showed us all what strength of character and courage really mean. Throughout the ordeal that she, HENRY and the Hyde family faced, she maintained her magnificent, positive outlook and thought not of herself, but of those around her. That wonderful spirit and her outstanding service to her community and her Nation will be Jeanne Hyde's enduring legacy.

Mr. Speaker, I know I speak for every Member of this House in expressing our deepest sympathy and in wishing that God's grace and comfort may be with HENRY and his family during this difficult time.

□ 1830

I want to notify Members that visitation will be on Wednesday, tomorrow,

from 1 p.m. to 5 p.m., at the Murphy Funeral Home, 4510 Wilson Boulevard in Arlington, VA, and a Mass of Christian burial will be held at 7 p.m., Wednesday, at the Cathedral of St. Thomas More, 3901 Cathedral Lane, also in Arlington.

#### TRANSITION TO HUNGER-FREE STATUS

Mr. KILDEE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 302) expressing the sense of the Congress regarding communities making the transition to hunger-free status, as amended.

The Clerk read the concurrent resolution as follows:

#### H. CON. RES. 302

Whereas a growing number of State and national reports on the prevalence of hunger in United States communities has heightened the public's awareness of hunger-related issues;

Whereas the increase in severe poverty in such communities is evidence that more adults and children are vulnerable to hunger-related problems;

Whereas there is a need for community partnership and involvement in order to assist in Federal and State support for hunger and poverty programs;

Whereas there is a need for guidelines that will affirm the community's vital role in improving access to food resources for residents who are vulnerable individuals and families; and

Whereas such guidelines should be in the form of actions that a community could take in order to move toward solving hunger and malnutrition problems of its residents: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that a community should work toward—*

(1) having a community-based emergency food delivery network that coordinates the services of programs such as food pantries, food banks, and congregate meals facilities;

(2) assessing food insecurity problems and evaluating existing services in the community to determine necessary strategies for responding to unmet needs;

(3) establishing a group of individuals, including low-income participants, to develop and to implement policies and programs to combat food insecurity, to monitor responsiveness of existing services, and to address underlying causes and factors related to hunger;

(4) participating in federally assisted nutrition programs that should be easily accessible to targeted populations, such as the Federal programs that provide school breakfast, school lunch, summer food, child care food, and food for homeless and older individuals;

(5) effective integrating public and private resources, including local businesses, to alleviate food insecurity;

(6) having an education program about food needs of the community and the need for increased local citizen participation in activities to alleviate food insecurity;

(7) having available information and referral services for accessing both public and private programs and services;

(8) having initiatives for alleviating food shopping constraints through the develop-

ment of creative food resources such as community gardens, buying clubs, food cooperatives, community-owned and operated grocery stores, and farmers' markets;

(9) carrying out activities to identify and target food services to high-risk populations;

(10) having adequate transport and distribution of food from all resources;

(11) coordinating food services with park and recreation programs and other community-based outlets to which residents of the area would have easy access;

(12) improving public transportation, human service agencies, and food resources;

(13) having nutrition education programs for low-income citizens to enhance good food-purchasing and food-preparation skills and to heighten awareness of the connection between diet and health; and

(14) having a program for collecting and distributing nutritious food, either agricultural commodities in farmers' fields or foods that have already been prepared, that would otherwise be wasted.

The SPEAKER pro tempore (Mr. ABERCROMBIE). Pursuant to the rule, the gentleman from Michigan [Mr. KILDEE] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

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

#### GENERAL LEAVE

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on House Concurrent Resolution 302, the concurrent resolution under consideration.

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

There was no objection.

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

Mr. Speaker, House Concurrent Resolution 302 expresses the sense of Congress that communities should strive to become hunger-free, and proposes 14 steps that local governments and community-based organizations can take to alleviate local hunger problems.

The resolution was introduced by Mr. TONY HALL and was jointly referred to the Committees on Education and Labor and Agriculture, and was approved and ordered reported by both committees.

In order to achieve hunger-free status the resolution states that communities should: Develop community-based emergency food delivery networks; assess and evaluate existing services; participate in federally-assisted nutrition programs such as school breakfast, lunch, summer food, child care food, and food for homeless and older individuals; and engage in several other activities designed to alleviate hunger.

These are activities that will benefit all communities, and I urge adoption of this most sensitive and important resolution.

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

Mr. GOODLING. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Missouri [Mr. EMERSON], a member of the Select Committee on Hunger.

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

Mr. Speaker, I rise in support of House Concurrent Resolution 302, which expresses the sense of Congress regarding communities making the transition to hunger-free status.

I have a particular interest in this resolution because of the efforts in my home town of Cape Girardeau, a community of 35,000 people. Missouri State Representative Mary Kasten worked diligently with churches, community and business leaders, government officials, and others involved in programs providing help to needy families to establish the community caring council. The Cape Girardeau Community Caring Council has established a system so that people expressing a need for a certain type of assistance can be evaluated to see if the need extends to other programs, including assistance that may be available in the private sector. Therefore, needy families are evaluated and referred to all appropriate entities that may be of assistance.

I am proud of the efforts displayed by the community leaders of Cape Girardeau and believe that other communities have made similar efforts.

For example, former President Carter is initiating a similar project in Atlanta. President Carter says more money is not necessarily the answer to solving some social welfare problems, but better coordination of existing programs is.

House Concurrent Resolution 302 sets forth guidelines and suggestions for communities to use to foster efforts to help their needy citizens. In fact, many of these guidelines are based on efforts of specific local communities.

I believe that there is a need for community partnership and involvement to assist in the Federal and State support for programs designed to help needy families. As the Members are aware, food assistance programs are essential in providing help to people in need of food. The programs include the Food Stamp Program, the major food assistance program operating today, and the Emergency Food Assistance Program, better known as TEFAP.

As the need for assistance has grown, the benefits provided by the Food Stamp Program have grown. It is estimated that this year the Food Stamp Program will serve an average of 25 million people each month and will cost over \$22 billion. The cost for all USDA food assistance programs will total over \$33 billion in 1992. In addition, communities across the United States and many, many private sector organizations provide help to their neediest citizens.

I urge my colleagues to support House Concurrent Resolution 302.

Mr. KILDEE. Mr. Speaker, I yield 4 minutes to the CHAIRMAN of the Select Committee on Hunger, the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Mr. Speaker, I want to thank the distinguished chairman of the subcommittee, the gentleman from Michigan [Mr. KILDEE], and I want to thank the distinguished chairmen and members of the Committees on Education and Labor, and Agriculture for their support in bringing House Concurrent Resolution 302 to the floor so quickly. It was only on April 1, that Representatives BILL EMERSON and ROBIN TALLON joined me in introducing this proposal, originally incorporated in the Freedom From Want Act, as a freestanding bill.

We have a pretty grave hunger situation in America. One in ten people relies on food stamps and every month thousands more file applications for benefits. The U.S. Conference of Mayors reported a 26-percent increase in the demand for emergency food last year and the situation promises to be even more dire this year. Only 55-percent of the low-income women, infants, and children eligible for WIC actually get benefits. One in five children live in poverty-stricken households. And 28 percent of all poor people get no Federal help at all.

These facts clearly show that despite the many aid programs out there, we have still got some serious gaps.

I really wish that Federal anti-hunger policy worked better. But even if it did; even if it was the model of perfection; and even if we had all the money in the world; that policy, alone, would not be enough to solve the problem.

We need to forge a partnership with community leaders. We need the help of private citizens. And, we need the support of individual communities because the war on hunger can only be won on their turf.

The hunger-free communities bill before us today is designed to stimulate local involvement. It proposes a comprehensive, coordinated plan of action for combatting community hunger problems and provides a yardstick to measure achievement.

I am not saying that Federal and State governments should abdicate their responsibility to help needy citizens. And I am not advocating that communities go the fight alone. But, I do believe that we need a partnership between the Government and the community.

The hunger-free communities plan seeks to put the different resources of communities to better use. I applaud the work currently in progress at the grassroots level. But, in my travels as chairman of the Select Committee on Hunger, I have seen where we can improve these efforts. Each individual group is performing well in providing

its own services. But, in many cases, they have never considered their potential as a unified front. United together, they can do more than change their communities, they can become the constituency that makes existing antihunger services more effective and more responsive.

I also know that communities want greater involvement in the fight against hunger, but they need some guidance. I can say this with some authority because to date, more than 1,500 community leaders, activists, elected officials, and nonprofit organizations have contacted the Hunger Committee requesting the hunger-free community guidelines proposed in this bill.

By passing House Concurrent Resolution 302 today, we will confirm our interest in their efforts and let them know that we support what they are trying to do.

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

Mr. Speaker, I rise in support of House Concurrent Resolution 302, which expresses the sense of the Congress on guidelines which local governments and community-based organizations may utilize to develop and implement plans to relieve local hunger problems and thus make a transition to hunger-free status.

Two of the suggested guidelines in particular echo messages I have often expressed before many audiences. First, communities must become knowledgeable about and strengthen their participation in federally assisted nutrition programs—and here I would stress participation in our child nutrition programs. Second, communities should make every effort to organize nutrition education classes to inform their residents about the relationships between diet and health and to teach them nutritious food-purchasing and preparation habits.

Mr. Speaker, I urge my colleagues to give House Concurrent Resolution 302 their support.

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

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. ESPY].

Mr. ESPY. Mr. Speaker, I rise today in strong support of House Concurrent Resolution 302, legislation which will play an important role in the fight against hunger.

The emphasis of this bill is on stimulating local concern, and on shifting that concern into action. It involves everyone—local government, churches, community groups, charitable groups—everyone who has a stake in their community and wants to make their community a better place for all to live.

Mr. Speaker, hunger is a serious problem in this Nation. One in ten Americans now receives food stamps. Eighty percent of all food stamp bene-

fits go to families with children. About 14 percent of Americans live below the poverty line—but that rate is much higher in my home State of Mississippi, the poorest State in the Nation, where 26 percent of our residents live in poverty.

I believe that the grassroots-level approach contained in this legislation can be successful. When surveyed in January of 1992, 6 out of 10 Americans stated that hunger in America is a very serious problem. Even more importantly, 7 out of 10 Americans reported volunteering time or contributing money or food to programs that feed the hungry.

So the motivation is out there. The concern is out there. The commitment is out there. The hunger-free communities legislation will act as the vehicle to bring all of these elements together into an effective coalition to attack hunger at the local level.

Mr. Speaker, we know that this legislation will not end hunger in America. The Federal Government still has a major obligation to the disadvantaged in this country. But despite the fact that there exists a vast array of Federal- and State-sponsored programs to respond to this problem, hunger still exists in America. This legislation will act as a blueprint for community action. Through 14 specific steps, such as setting up gleaning programs and providing nutrition education programs, communities can comprehensively address local hunger problems and take action on them. I believe that this approach deserves a place in the fight against hunger. I strongly support House Concurrent Resolution 302.

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

In conclusion, Mr. Speaker, in real life I was a school teacher. I taught school for 10 years, and I used to see children come to school hungry. Very often the only good meal they got during the day was a school lunch.

I can recall in my homeroom every day someone's lunch was being stolen, and I was raised in a family where stealing was considered a most serious thing, as it certainly is, and I was determined to entrap the person who was stealing someone's lunch, the person who would stoop to such a low act, and I finally apprehended the person and found out the person never got a breakfast before he came to school; never, never ate well at home period. I will not go into the reasons why. It was very complex.

However, Mr. Speaker, I had intended to turn the student into the principal of the school, but he said to me, "Mr. Kildee, I never steal the same lunch from the same person in the same week."

Now that kid had some ethics. He stole, which I do not condone, but he tried to spread it around a bit, and I can recall that I took him down to the

cafeteria where we had no breakfast program at the time at the high school, and I said, "Mrs. Pelkie, this young gentleman will be coming down here every morning, and I would like to have you get breakfast for him and send the bill to me."

Mr. Speaker, he got the breakfast for the rest of his high school career, and I never got the bill, but I was determined then that whenever I could I would do anything I could to alleviate hunger. This is really a commitment, a moral commitment, to help communities do that.

Mr. FORD of Michigan. Mr. Speaker, I rise in support of House Concurrent Resolution 302, a resolution which seeks to promote the development of hunger-free communities.

House Concurrent Resolution 302 sets forth 14 specific steps that a community may implement in order to address local hunger problems comprehensively. These steps provide for the involvement of local governments, civic and community organizations, churches, and charitable groups. The legislation prescribes a plan of action for communities seeking to make the transition to hunger-free status.

These 14 steps include such actions as assuring availability of Federal food assistance, awareness of referral services, targeting vulnerable populations, and providing direct access to services.

If communities across our country would implement these guidelines, our country could make great strides in feeding millions of children who are hungry in America.

The Food Research and Action Center in its community childhood hunger identification project found:

First, an estimated 5.5 million children under age 12 in this country are hungry.

Second, an estimated 11.5 million children under age 12 are hungry or at risk of hunger.

Third, hungry children are two to three times more likely than children from nonhungry low-income families to have suffered from individual health problems such as unwanted weight loss, fatigue, irritability, headaches, and inability to concentrate in the 6-month period prior to the survey.

Hunger in our Nation is a very serious problem and one that I firmly believe the Congress has to address. I urge my colleagues to support this resolution.

Mr. HASTERT. Mr. Speaker, I am pleased to rise in strong support of this resolution. The strength of this resolution lies in its focus on what local communities can do to combat hunger, rather than rely on intervention from the Federal Government.

Americans have always taken pride in working within their communities to solve local problems. There is an incredible volunteer spirit in America today, and there are millions of Americans looking for ways to help end the continuing disgrace of hunger, which has no place in such a wealthy nation. This resolution outlines specific ways communities can improve nutrition and food assistance delivery and work toward hunger-free environments.

The value of concerned individuals working together toward this goal is unmeasurable. Yet, there are those in our communities who

see hunger as a problem too large to solve. There are too many groups at risk of hunger: children, the homeless, single-parent households, and the elderly.

Private citizens who have reached out to one or more of these groups deserve the encouragement and guidance this resolution provides. The coordination and expertise of others is a valuable tool. As a result, the efficiency of food security and delivery can be vastly improved. Innovation can be shared and appreciated. And most of all, people can see how many are willing to work for a solution to the problem.

Thomas Jefferson wrote more than two centuries ago that the vigor of a free society is based on the moral responsibility accepted by its citizens. This resolution recognizes and celebrates that spirit. With the determination and commitment of local communities around the United States, we can make great progress toward eradicating hunger in our country.

I urge full support of this call to action to reach those in need.

Mr. DE LA GARZA. Mr. Speaker, I am pleased to rise in support of House Concurrent Resolution 302, which expresses the sense of Congress regarding communities making the transition to hunger-free, status by outlining steps communities can take to address the problem of hunger among its high-risk populations. This resolution was reported by the Committee on Agriculture on June 29, 1992.

Hunger is a continuing problem for many U.S. citizens. The principal feeding program of this country, the Food Stamp Program, in April of this year had 25.8 million participants, and the program's cost this year is \$23 billion. In spite of the increasing participation in the Food Stamp Program and other Federal and State-sponsored food and income security programs, many people continue to experience chronic or episodic food shortages.

House Concurrent Resolution 302 focuses on community awareness and involvement in fighting hunger at the local level and provides a number of steps a community can take in order to move toward solving hunger and malnutrition among its residents.

I wish to commend Subcommittee Chairman ROBIN TALLON of the Agriculture Committee's Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition, and our colleague who is also a member of the subcommittee, Congressman BILL EMERSON, for their cosponsorship of this resolution and the fine work they have done in calling attention to the need for full coordination among all sectors of society in combating the needs of hunger in this country.

Mr. TALLON. Mr. Speaker, I want to lend my strong support for House Concurrent Resolution 302 expressing the sense of the Congress that the elimination of hunger should be the goal of every community using all available government and private resources to fight hunger.

House Concurrent Resolution 302 outlines steps a community can take to attack the problem of hunger on a community basis in order for the community to reach a hunger-free status.

The legislation is designed to promote community awareness of hunger and to foster

local efforts to fight hunger. The bill cites 14 specific steps a community can implement in order to comprehensively address local hunger problems. The provisions of the bill can be used also as a yardstick for measuring a community's response to its hunger problems. It sets a standard for organizations, such as the South Carolina Interagency on Hunger, to use in mobilizing community efforts.

The provisions of this bill were originally incorporated in H.R. 2258, the Freedom From Want Act, an omnibus antihunger bill introduced by Select Committee on Hunger Chairman TONY HALL and ranking Republican BILL EMERSON.

Hunger is a continuing problem for many U.S. citizens, growing all the more severe in the current economic climate. In April 1992, the Food and Nutrition Service reported a record 25.843 million Americans on Food Stamps. More and more Americans are having to turn to a food bank or a soup kitchen to supplement their diet.

Despite the existence of an extensive array of Federal and State sponsored food and income security programs, many people continue to experience chronic or episodic food shortage problems. House Concurrent Resolution 302 recognizes the great importance that local communities can mobilize to combat hunger related issues.

House Concurrent Resolution 302 encourages the community to use all government and private resources available to systematically eradicate hunger and the bill offers a list of steps a community can take to work toward this goal.

It is my opinion that the Federal responsibility to local efforts is even more critical during these difficult times when many families are not able to establish economic security. To truly fulfill the intent of the hunger free communities resolution, we in Congress ought to ensure the passage of H.R. 5600 which includes provisions from H.R. 1202, the Mickey Leland Childhood Hunger Elimination Act.

There are far too many Americans today who know the struggle for food. When a family struggles for food, then it is obvious that the family is struggling for everything else. Low wages, no health care, sporadic employment, no transportation, no food, and an uncertain future—this is reality for far too many Americans.

Only a Federal leadership initiative will reverse this trend. My colleagues, TONY HALL, BILL EMERSON, LEON PANETTA, and others have been telling us for years. I urge my colleagues to support immediate consideration of H.R. 5600 so that the Federal Government can assume its role in helping families and communities eradicate hunger.

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

The SPEAKER pro tempore (Mr. ABERCROMBIE). The question is on the motion offered by the gentleman from Michigan [Mr. KILDEE] that the House suspend the rules and concur in the Senate concurrent resolution [S. Con. Res. 302], as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Sen-

ate concurrent resolution, as amended, was concurred in.

A motion to reconsider was laid on the table.

#### CHILD NUTRITION AMENDMENTS OF 1992

Mr. KILDEE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2759) 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, as amended.

The Clerk read as follows:

S. 2759

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Nutrition Amendments of 1992".

#### TITLE I—NUTRITION IMPROVEMENT FOR HOMELESS CHILDREN

##### SEC. 101. HOMELESS CHILDREN'S FEEDING PROJECTS.

(a) IN GENERAL.—Section 18(c) of the National School Lunch Act (42 U.S.C. 1769(c)) is amended—

(1) by inserting before "private nonprofit" each place it appears in paragraphs (2)(A), (2)(B), and (5)(A) the following: "State, city, local, or county governments, other public entities, or";

(2) in paragraph (3)(A), by adding at the end the following new sentences: "The projects shall receive reimbursement payments for meals and supplements served on Saturdays, Sundays, and holidays, at the request of the sponsor of any such project. The meal pattern requirements of this subparagraph may be modified as necessary by the Secretary to take into account the needs of infants.";

(3) in paragraph (5)(A), by striking "and not less than \$350,000 in each of the fiscal years 1991, 1992, 1993, and 1994," and inserting "not less than \$350,000 in each of fiscal years 1991 and 1992, not less than \$650,000 in fiscal year 1993, and not less than \$800,000 in fiscal year 1994,"; and

(4) by adding at the end the following new paragraph:

"(7) The Secretary shall advise each State of the availability of the projects established under this subsection for States, cities, counties, local governments and other public entities, and shall advise each State of the procedures for applying to participate in the project."

(b) OTHER MEANS.—(1) The Secretary of Agriculture may conduct demonstration projects other than those required under section 18(c) of the National School Lunch Act (42 U.S.C. 1769(c)) to identify other effective means of providing food assistance to homeless children residing in temporary shelters.

(2) None of the funds provided under section 18(c)(5)(A) of the National School Lunch Act may be used by the Secretary of Agriculture to conduct a demonstration project under paragraph (1) of this subsection.

#### TITLE II—BREAST FEEDING PROMOTION AND IMPROVEMENT OF OTHER CHILD NUTRITION PROGRAMS

##### SEC. 201. BREAST FEEDING PROMOTION PROGRAM.

The Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) is amended by adding at the end the following new section:

#### "SEC. 21. BREAST FEEDING PROMOTION PROGRAM.

"(a) IN GENERAL.—The Secretary, from amounts received under subsection (d), shall establish a breast feeding promotion program to promote breast feeding as the best method of infant nutrition, foster wider public acceptance of breast feeding in the United States, and assist in the distribution of breast feeding equipment to breast feeding women.

"(b) CONDUCT OF PROGRAM.—In carrying out the program described in subsection (a), the Secretary may—

"(1) develop or assist others to develop appropriate educational materials, including public service announcements, promotional publications, and press kits for the purpose of promoting breast feeding;

"(2) distribute or assist others to distribute such materials to appropriate public and private individuals and entities; and

"(3) provide funds to public and private individuals and entities, including physicians, health professional organizations, hospitals, community based health organizations, and employers, for the purpose of assisting such entities in the distribution of breast pumps and similar equipment to breast feeding women.

"(c) COOPERATIVE AGREEMENTS.—The Secretary is authorized to enter into cooperative agreements with Federal agencies, State and local governments, and other entities to carry out the program described in subsection (a).

"(d) GIFTS, BEQUESTS, AND DEVISES.—

"(1) IN GENERAL.—The Secretary is authorized to solicit, accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of establishing and carrying out the program described in subsection (a). Gifts, bequests, or devises of money and proceeds from the sale of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon order of the Secretary.

"(2) CRITERIA FOR ACCEPTANCE.—The Secretary shall establish criteria for determining whether to solicit and accept gifts, bequests, or devises under paragraph (1), including criteria that ensure that the acceptance of any gifts, bequests, or devises would not—

"(A) reflect unfavorably on the ability of the Secretary to carry out the Secretary's responsibilities in a fair and objective manner; or

"(B) compromise, or appear to compromise, the integrity of any governmental program or any officer or employee involved in the program."

##### SEC. 202. CHILD CARE CLARIFICATION.

The second sentence of section 17(a) of the National School Lunch Act (42 U.S.C. 1766(a)) is amended by striking "of the children" and all that follows through "services" and inserting the following: "of its enrolled children or 25 percent of its licensed capacity, whichever is less".

##### SEC. 203. EXTENSION OF DEMONSTRATION PROJECTS.

Section 17(p) of the National School Lunch Act (42 U.S.C. 1766(p)) is amended by adding at the end the following new paragraph:

"(5) Notwithstanding paragraph (4)(B), the Secretary shall continue until September 30, 1994, the two pilot projects established under this subsection to the extent, and in such amounts, as are provided for in advance in appropriations Acts."

##### SEC. 204. INCLUSION OF HOMELESSNESS AND MIGRANCY AS NUTRITIONAL RISK CONDITIONS.

Section 17(b)(8)(D) of the Child Nutrition Act of 1966 (42 U.S.C. 1766(b)(8)(D)) is amend-

ed by inserting before the period the following: ", homelessness, and migrancy".

#### TITLE III—REAUTHORIZATION OF PILOT PROGRAM

##### SEC. 301. REAUTHORIZATION OF PILOT PROGRAM.

Paragraph (1) of section 18(b) of the National School Lunch Act (42 U.S.C. 1769(b)) is amended by striking "September 30, 1992" and inserting "September 30, 1994".

#### TITLE IV—REAUTHORIZATION OF THE ADVISORY COUNCIL ON THE DISTRIBUTION OF DONATED COMMODITIES

##### SEC. 401. REAUTHORIZATION OF THE ADVISORY COUNCIL ON THE DISTRIBUTION OF DONATED COMMODITIES.

Section 3(a)(3)(E) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) is amended by striking "1992" and inserting "1996".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan [Mr. KILDEE] will be recognized for 20 minutes and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

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

#### GENERAL LEAVE

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 2759, as amended, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, S. 2759, as amended, includes the language of three bills: S. 2759, The Homeless Children Nutrition Improvement Act of 1992; S. 2760, The Child Nutrition Improvements Act of 1992; and H.R. 2933, a bill I introduced with Mr. FORD and Mr. GOODLING to reauthorize a demonstration program operating under the School Lunch Act. It also includes language to reauthorize the Commodity Distribution Advisory Council.

The title of this package is the Child Nutrition Amendments of 1992, and it was approved and ordered reported by the Committee on Education and Labor on June 10, 1992.

Title I of the bill amends the homeless children feeding demonstration under the National School Lunch Act to improve program flexibility and allow the participation of more grantees.

Title II of the bill authorizes the secretary to accept and solicit private gifts for the establishment of a Breast Feeding Promotion Program designed to educate the public concerning the many benefits of breast feeding.

Our colleague, Ms. MOLINARI, introduced this language in H.R. 4322, and we are pleased to include her provisions.

This title also amends the definition of "Nutritional Risk" under WIC to in-

clude homelessness and migrancy, and amends the Child and Adult Care Food Program to reauthorize a demonstration program regarding the participation of child care centers in the program.

Title III reauthorizes a pilot program under the National School Lunch Act which enables 60 school districts to receive cash payments or Commodity Letters of Credit (CLOC) in lieu of Entitlement Commodities for their School Lunch Programs.

And title IV reauthorizes the commodity distribution council through 1996. I am pleased to have been able to work with Chairman DE LA GARZA of the Agriculture Committee on this provision.

All of these provisions strengthen programs designed to improve the nutritional well-being of our Nation's children and I urge their adoption.

□ 1850

Mr. GOODLING. Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from New York [Ms. MOLINARI], the author of the provisions in part of this bill.

Ms. MOLINARI. Mr. Speaker, I want to thank Chairman FORD, Congressman KILDEE, and the distinguished ranking minority member, Congressman GOODLING, for the swift consideration of the Breast Feeding Promotion Act of 1992, included in title II of S. 2759, which we are considering today on the House floor.

While I support all the child nutrition provisions incorporated into S. 2759, I would like to take this opportunity to express my strong support for the Breast Feeding Promotion Act of 1992, which I introduced earlier this year.

This legislation, already passed by the Senate, and strongly endorsed by the Department of Agriculture, will authorize the Secretary of Agriculture to utilize private funding to conduct a national campaign and educational program on breast feeding. The conduct of the national campaign will depend upon an infusion of funds and in-kind contributions from the private sector.

The benefits of breast feeding have been documented by extensive research and yet Americans have continued to allow a decline in breast feeding. In 1982, 62 percent of new mothers breastfed their infants compared to 54 percent in 1988. Equally disturbing, is the large disparity that exists between low-income and middle-income families. In the United States, while 70 percent of women whose family income is over \$25,000 breastfed, only 35 percent of those with family income of less than \$7,000 breastfed. It is clear from these statistics that we need to revitalize our educational efforts to expectant and new mothers on the benefits to both her and her child from breast feeding.

Breast feeding is the most convenient, economical, and beneficial way of feeding infants. Breast feeding provides benefits for both the physical and emotional health of infants as well as their mothers. The benefits for infants include protection from ear infections, diarrhea, and respiratory illnesses through the immunologic properties of breastmilk. Breastmilk is also the most complete and most easily digestible source of nutrition for infants.

The benefits for mothers include enhanced self-esteem, more rapid postpartum recovery, and the creation of a special bond between mother and infant. Breast feeding is also convenient because it requires no heating, mixing, or sterilization, and is less expensive than bottle-feeding.

The reasons why women do not breast feed are varied, but experience from past or ongoing breast feeding promotion activities in several States has demonstrated that breast feeding initiation and duration can be increased significantly. One of the key issues about breast feeding is that it is often misunderstood and perceived as being socially unacceptable. A national media campaign would help to counter some of those negative perceptions.

As designed by the Breast Feeding Promotion Act, this campaign will be appropriately coordinated by the Secretary of Agriculture as he administers the special Supplemental Food Program for Women, Infants, and Children [WIC]. The purpose of the campaign will be to increase awareness of, and knowledge about breast feeding to the general public.

Mr. Speaker, I thank the committee chairman again for the swift consideration of this bill, and I hope all my colleagues will enthusiastically support this important legislation today.

Mr. GOODLING. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Speaker, I rise in support of S. 2759, the Homeless Children Nutrition Improvement Act. I particularly applaud title II of the bill, which establishes a program to increase public acceptance of breast feeding, develops and distributes educational materials, and distributes breast feeding equipment. Title II is identical to H.R. 4322, the Breast Feeding Promotion Act which my colleagues, Ms. MOLINARI, Mr. HALL, and I introduced on March 25, 1992.

Breast feeding confers special benefits to infants, but social and economic barriers prevent many low-income mothers from breast feeding. Both history and research have shown us breast milk is the superior infant food due to its immunological agents that protect infants against disease. In addition to the obvious economic benefits these components of breast feeding make it the optimal way to nurture infants.

Unfortunately, despite these incredible advantages, we have witnessed a dramatic decline in breast feeding since 1982. Too many women are unaware of the benefits or believe the negative myths surrounding breast feeding. The main barriers tend to be economic, as well as a lack of support from family members and society. While it can be debatable which obstacles present the most resistance to the practice of breast feeding, it is apparent the promotion of breast feeding is unequivocally crucial.

Every effort we make to encourage and support breast feeding will mean better health for children. Mr. Chairman, by adopting S. 2759 we will help ensure a healthier future for these children.

S. 2759 authorizes the Secretary of Agriculture to ask for and to accept gifts and requests and property to establish a Breast Feeding Promotion Program. Such program should be designed to educate the public concerning the fact that breast feeding is the best method of infant nutrition.

The administration proposed the Breast Feeding Promotion Program and I am pleased to sponsor and urge its passage.

I urge my colleagues to support this promotion program.

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

Mr. Speaker, I rise in strong support of S. 2759, the Child Nutrition Amendments of 1992. In this single piece of legislation we have been able to combine perfecting amendments to an ongoing program as well as to a demonstration project, provisions expanding the scope of a demonstration project, the authorization of an administration initiative, and the reauthorization of two very successful demonstration/pilot projects or programs.

I am particularly pleased that through title I of the bill we are perfecting the food service for homeless children demonstration projects by providing for the reimbursement of meals or meal supplements served to these children on weekends and holidays. It seems that on account of what was described to us as an administrative policy, such reimbursements were being made available only for the meals or meal supplements these children were served during the 5 days of the working week. The inexplicable assumption behind this administrative policy apparently was that these children were going to be picked up from their emergency shelters on Friday afternoons by their parents and taken home for their weekend or holiday meals.

I should add that title I also expands the scope of the food service for homeless children demonstration projects. Where only private nonprofit organizations were originally eligible for participation in these projects, now public

entities such as States, cities, local or county governments, and other public bodies will also be able to enter into agreements to carry out such projects.

Title II of this bill includes an authorization for an initiative proposed by the administration: the Breast Feeding Promotion Program. The Secretary of Agriculture will be able to solicit and accept gifts, bequests, or devices of services or property to establish a program promoting breast feeding as the best method of infant nutrition. As we have all learned, Mr. Speaker, breast feeding benefits both the physical and emotional health of infants as well as their mothers, and breast milk is the most complete and most easily digestible source of nutrition for infants.

From my perspective, the most commendable feature of this bill is that, through its title III, it reauthorizes what we term the Cash/CLOC Pilot Program for another 2 fiscal years. This pilot program's genesis a decade ago may be traced to the sustained interest a substantial number of school food authorities had expressed in exploring changes to the traditional donated commodity program which supplied the food for their school lunch programs. In particular, schools were interested in improving the quality and the delivery modes and schedules of the commodities they were receiving.

Congress responded to this desire to improve the traditional donated commodity system by mandating a 3-year study that would compare how the then existing system and two potential alternatives to it would respectively affect school lunch programs and stabilize and support farm markets and prices. One of the alternative methods selected for the study, which was conducted during school years 1982-83 through 1984-85, was a straight cash approach. Roughly one-third of the school districts participating in the study were allocated a sum of cash equal to the amount the Department of Agriculture [USDA] would have used in buying commodities for donation to them, and were given the freedom to use their sum of cash as they please in support of their School Lunch Programs.

The other alternative method selected for the comparative study was a commodity letter of credit [CLOC] approach. In this instance another third of the participant school districts were extended letters of credit holding values equal to those of the donated commodities they would have received from USDA. While this approach gave schools the option to purchase fresh foods from local commercial sources such as farmers' markets, some restrictions were to apply, however, to the use of these letters of credit. They could only be used to purchase foods containing those commodities USDA itself was buying for donation, and the

timing of their use was to coincide with that of USDA commodity purchases.

The remaining third of the school districts participating in the study were to continue to be served by the traditional donated commodity system.

While the USDA recommended a universal return to the Donated Commodity Program following the study, the school food authorities that had participated in it successfully appealed to Congress to continue the examination of the cash and CLOC alternatives through a pilot program. Congress initially acceded to this request through Public Law 99-198, the Farm Security Act of 1985, and has been fit to reauthorize the pilot two additional times, most recently through Public Law 101-147, the Child Nutrition and WIC Reauthorization Act of 1989. I should add that the latter bill's conference report authorized USDA to design and test modifications to the cash and CLOC alternatives that would strengthen their capacity to stabilize and support markets.

What has motivated Congress to reauthorize this pilot program repeatedly—and should persuade it to do so again—has been the enthusiastic advocacy of the alternatives by the school districts that have had an opportunity to implement them. Here are some of the reasons they have given to justify their desire to continue and refine the alternative commodity systems: cash and CLOC allow them to buy food in forms they can most effectively use, thereby reducing waste, the need for storage, and the cost of preparation; cash and CLOC allow them to locally purchase and serve more fresh fruits and vegetables, which enhances the appeal and nutritiousness of their meals; and cash and CLOC give the schools greater control over food delivery schedules, allowing them to avoid large and often unexpected deliveries that must be stored until the food can be used.

In closing, Mr. Speaker, I should note that just 4 months ago the USDA released an evaluative study on the performance of the CLOC alternative—as modified in accordance with Public Law 101-147's conference report—during school year 1990-91. With the changes which were made, the findings were that the 25 CLOC school districts now in the pilot program—when compared to 25 districts in the donated program—removed the same quantity of surplus commodity from the market and provided comparable market support in terms of the timing of their commodity purchases and deliveries.

I urge my colleagues to give S. 2759 their support. The administration has no objection to House passage on this bill.

Mr. FORD of Michigan. Mr. Speaker, I rise in support of S. 2759, the Child Nutrition Amendments of 1992.

S. 2759, the Child Nutrition Amendments of 1992, contains three titles: First, a Nutrition Improvement Program for Homeless Children; second, a Breast Feeding Promotion Program and improvement of other child nutrition programs; and third an extension of a Cash/CLOC Pilot Program.

The Nutrition Improvement for Homeless Children title broadens the current homeless nutrition program by permitting food service to homeless children in emergency shelters to include public agencies as eligible sponsors. The program is also expanded by extending the service to these shelters during weekends and by increasing the authorization level.

Title II, the Breast Feeding Promotion Program establishes a program which educates the public on the use of breast feeding as a method of infant nutrition. This title also makes provisions for the continuation of a demonstration project which permits child care centers to participate in the Child and Adult Care Food Program if at least 25 percent of the children qualify for free and reduced-price lunches. This provision should make nutritious food available to many additional low-income and poor children.

Title III extends a pilot project under the National School Lunch Act which permits several school districts to receive cash payments or commodity letters of credit in lieu of entitlement commodities for their school lunch program. The participating school districts are test sites authorized in a congressionally mandated pilot project to study the impact of alternative commodity distribution systems on school lunch programs.

This legislation will enable additional homeless children to have nutritious food and will also continue to provide the committee with information regarding how we may improve upon our commodity distribution program for child nutrition programs.

I urge my colleagues to support this legislation.

Mr. BEREUTER. Mr. Speaker, I am happy to rise in support of S. 2759 which is designed to provide nutritional assistance to pre-school-age children living in temporary shelters. In particular, I want to draw attention to title II of this bill which authorizes the Secretary of Agriculture to solicit and accept private gifts to establish a Breast Feeding Promotion Program. At the offset, I want to acknowledge that the language of title II of S. 2759 is identical to the language of H.R. 4322 which was introduced by Congresswoman MOLINARI, along with Congressmen EMERSON, GOODLING, and HALL.

The benefits of breast feeding have been documented by extensive research. For example, research has shown that the response to childhood immunization is significantly greater in exclusively breast-fed infants than in those who were bottle-fed; a study in England suggests low-birth weight babies fed on their mothers milk have an eight-point higher IQ compared with similar infants fed on formula; and the risk of infections during the entire first year of life is decreased by 75 percent for breast fed children. It has also been established that for the first 6 months of life that an infant needs nothing other than breastmilk.

Unfortunately, our knowledge is not matched by our practice. Only 54 percent of U.S. mothers in the general population were

breast feeding at discharge from the hospital and only 28 percent at 6 months. The rates are even lower for mothers participating in the WIC program. The reasons why women do not breast feed are varied. However, experience from the past indicates that breast feeding practice can be increased significantly by promotion activities.

Mr. Speaker, the campaign envisioned by title II of this bill will help to create a positive public climate with respect to the acceptability and adoption of breast feeding. For these and many other reasons S. 2759 is a good bill and I urge my colleagues to vote for this legislation.

Mr. DE LA GARZA. Mr. Speaker, I rise in support of S. 2759, the Child Nutrition Amendments of 1992.

This legislation contains two provisions of importance to the Committee on Agriculture: First, a provision to extend the pilot projects authorizing 60 school districts to receive cash payments or commodity letters of credit [CLOC] in lieu of entitlement commodities for school lunch programs; and second, a provision to extend the U.S. Department of Agriculture Advisory Council on the Distribution of Donated Commodities.

Authority for implementing demonstration programs for alternative systems for commodity distribution in schools was mandated in the fiscal year 1981 appropriations bill for agriculture, rural development, and related agencies (Public Law 96-528). Extensions of the pilot projects were authorized in the Food Security Act of 1985 (Public Law 99-198); the Commodity Distribution Reform Act and WIC Amendments of 1987 (Public Law 100-237); and the Child Nutrition and WIC Reauthorization Act of 1989 (Public Law 101-147).

Although it shares jurisdiction over the cash/CLOC extension provision with the Education and Labor Committee, the Committee on Agriculture did not seek sequential referral in the interest of expeditious floor action on S. 2759.

While the Committee on Agriculture respects the interest of the Committee on Education and Labor in the cash/CLOC projects, the Committee on Agriculture believes that the commodity distribution program is in the best interests of agricultural producers, administrators of commodity distribution systems, and provides the best mechanism for balancing the needs of producers and recipients. Accordingly, prior to the end of the extension period provided by this legislation—September 30, 1994, the Committee on Agriculture intends to review thoroughly the operation and effectiveness of the cash/CLOC projects vis-a-vis the commodity distribution program. The cash/CLOC projects were established at a time when local school districts wanted more discretion over the form of the commodity, packaging, location of purchase, and timing of delivery of commodities. Substantial improvements have been made as a result of the Commodity Distribution Reform Act of 1987 by the U.S. Department of Agriculture, and a majority of school districts and State agencies favor the commodity distribution program over the cash/CLOC approach.

I appreciate the Committee on Education and Labor agreeing to include in this legislation an amendment which extends through fiscal year 1996 the U.S. Department of Agriculture

culture Advisory Council on the Distribution of Donated Commodities. Current council members represent: the Emergency Food Assistance Program, the Commodity Supplemental Food Program, the Nutrition Program for the Elderly, the Food Distribution Program on Indian Reservations, school food service directors, State advisory councils, State distribution agencies, commercial processors, the Child Care Food Program, commercial distributors, and agricultural organizations. These members are providing valuable information to the Secretary of Agriculture in his administration of our various commodity distribution programs, and it is important that the Secretary continue to have this input.

The Committee on Agriculture and the Committee on Education and Labor have exchanged letters pertaining to our legislative jurisdiction and interests, and I am attaching a copy of that correspondence for the RECORD. I wish to thank Chairman FORD for his cooperation in working with the Committee on Agriculture in this regard.

COMMITTEE ON EDUCATION AND  
LABOR,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 9, 1992.

Hon. E DE LA GARZA,  
Chairman, Committee on Agriculture,  
Washington, DC.

DEAR MR. CHAIRMAN: Thank you very much for your letter of June 29 agreeing to consideration under suspension of the rules of S. 2759, the Child Nutrition Amendments of 1992, and of H. Con. Res. 302. I hope that we will be able to have these bills scheduled during the week of July 27.

Concerning your request that S. 2759 be amended to include an extension of the advisory council on the distribution of donated commodities, I will recommend acceptance of that amendment. However, I believe that the council should be extended through 1994 instead of 1995 as you had suggested. I hope that you will agree to this term for the council.

Thank you again for your cooperation in these matters, and as always I appreciate working with you.

With kind regards,  
Sincerely,

WILLIAM D. FORD,  
Chairman.

COMMITTEE ON AGRICULTURE,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 29, 1992.

Hon. WILLIAM D. FORD,  
Chairman, Committee on Education and Labor,  
Washington, DC.

DEAR MR. CHAIRMAN: This is in response to your letter regarding scheduling under suspension of the rules of S. 2759, the Child Nutrition Amendments of 1992. This bill contains an amendment adopted in the Committee on Education and Labor of mutual jurisdictional concern, the extension of the cash/CLOC demonstration project through 1994.

I am happy to expedite movement of this legislation and not seek a sequential referral of this bill subject to the incorporation of an amendment to extend through fiscal year 1995 the advisory council on the distribution of donated commodities (see attached amendment). This council was authorized through fiscal year 1992 in the Commodity Distribution Reform Act and WIC Amendments of 1987, P.L. 100-237, section 3(a)(3).

In addition, thank you for accepting the amendment of the Committee on Agriculture to H. Con. Res. 302.

As always, we appreciate your working with this Committee, as we address areas of mutual concern.

Sincerely,

E (KIKI) DE LA GARZA,  
Chairman.

AMENDMENT TO S. 2759

At the end of the bill add the following new section:

**SEC. 4. REAUTHORIZATION OF THE ADVISORY COUNCIL ON THE DISTRIBUTION OF DONATED COMMODITIES.**

Section 3(a)(3)(E) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) is amended by striking "1992" and inserting "1995".

COMMITTEE ON EDUCATION AND  
LABOR,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 25, 1992.

Hon. E DE LA GARZA,  
Chairman, Committee on Agriculture,  
Washington, DC.

DEAR MR. CHAIRMAN: I am writing to inform you that I will be asking to schedule, under suspension of the rules, S. 2759, the Child Nutrition Amendments of 1992. I know that you are interested in this bill due to an amendment we adopted in the Education and Labor Committee extending the CASH/CLOC experiment through 1994.

I will also be asking to schedule, under suspension, H. Con. Res. 302, the Communities Making the Transition to "Hunger Free" Status Resolution. Both our Committees have acted favorably on that legislation, and the Committee on Agriculture adopted an amendment to that bill which the Committee on Education and Labor is willing to accept.

If you have any problem with my requests to schedule S. 2759 and H. Con. Res. 302, please let me know. As always, I look forward to working with you and your Committee.

With kind regards,  
Sincerely,

WILLIAM D. FORD,  
Chairman.

Mr. TALLON. Mr. Speaker, as the chairman of the Subcommittee on Domestic Marketing, Consumer Relations, and Nutrition of the House Agriculture Committee which has jurisdiction over commodity distribution to domestic nutrition programs, I support S. 2759 the Homeless Children Nutrition Improvement Act; however, I am opposed to the extension and expansion of the Commodity Letter of Credit [CLOC] demonstration projects for the National School Lunch Program as authorized by S. 2759.

After 10 years, the usefulness of these projects no longer have a national application and should not be continued. It costs the taxpayers too much money to run these demonstration programs indefinitely.

The House Agriculture Committee is opposed to it. The U.S. Department of Agriculture is opposed to it. Commodity groups are opposed to it. The American Commodity Distribution Association is opposed to it. The American School Food Service Association supports continuation of the current USDA nationwide commodity program. I would like to submit for the record several position papers relating this opposition.

The House Education and Labor Committee added the CLOC provision to the bill despite

this opposition. That Committee, the House Agriculture Committee, and USDA should appreciate the contribution that the 25 CLOC school districts have made over the past 10 years. We have all learned a lot from these projects.

It is my opinion that the decade CLOC experiment has taught us that it is not feasible to expand CLOC nationwide and it is not financially practical to maintain the current CLOC programs as a separate commodity distribution program for a handful of school districts.

In this time of economic uncertainty, taxpayers should not have to pay for two systems of distributing commodities to the School Lunch Program. Rather it is time to consider more important investments in efforts such as the breast-feeding provisions of S. 2759 and establishing a universal School Lunch Program.

**RESOLUTION—THE AMERICAN SCHOOL FOOD SERVICE ASSOCIATION SUPPORT OF THE U.S.D.A. PROGRAM**

Whereas: Public Law (P.L.) 100-237, the Commodity Distribution Reform Act of 1987 was signed into law on January 8, 1988, and

Whereas: The intent of the law was to improve the Administration of the United States Department of Agriculture Commodity Distribution Program, and

Whereas: The provisions in the law are far-reaching toward attaining positive results in improved service for recipient agencies, and

Whereas: Local schools have voiced their approval of the improvements made in the Commodity Distribution Program, and

Whereas: The ASFSA Public Policy and Legislative Committee and the Commodity Improvement, Implementation, Monitoring Committee has and will continue to assess the progress on the commodity initiatives since the inception of the law, and

Whereas: These committees have found significant improvements in the Commodity Distribution program through the implementation of regulation described in Public Law 100-237, and

Whereas: On May 12, 1989, the National Advisory Council on Commodities has included in their report to Congress a recommendation to "oppose the continuation of the cash and CLOC pilot projects and supports efforts to improve and streamline the commodity program to meet the needs of the Food and Nutrition Programs and in support of agriculture."

Therefore be it Resolved: That ASFSA supports continuation of the USDA Commodity Program.

**USDA CLOC POSITION**

Position: USDA does not support continuation or expansion of the Commodity Letter of Credit (CLOC) system. The pilot sites testing CLOC and a cash alternative should return to the commodity system. It is in the best interests of agricultural producers, administrators of commodity distribution systems and recipients of USDA's domestic commodity programs to retain the traditional commodity program.

Agricultural Producers: The statutory goal of the Section 32 commodity programs is to support U.S. agriculture when markets are weak. Only 13 percent of Section 32 funds go to directly support agricultural markets through the commodity program. The rest is cash to Child Nutrition Programs. Commodity foods represent about 20 percent of the food acquired in the National School Lunch

Program (NSLP). Considerable flexibility is currently afforded school districts which can use the vast majority of funds for unrestricted uses including labor, food, and other costs. About \$4.7 billion Fiscal Year 1991 was provided as cash funding for the child programs; about \$600 million was provided in direct commodity support.

The positive market effect of commodity programs needs to be retained. CLOC purchases are made at the consumer end of the food pipeline and USDA purchases are made at or near the producer end. When a single large entity such as the Federal Government announces an upcoming large purchase, the market impact can be considerably different than if 20,000 school districts take delivery of small purchases from their commercial distributors.

The market impact of agricultural support programs is more pronounced when the amount of product removed from the market represents a relatively large portion of the total market for that commodity (e.g., the frozen whole egg market that has few marketing alternatives in times of surplus production).

It is not clear that the CLOC system can respond quickly to unexpected market changes. This is particularly true for bonus commodity purchases targeted for specific regional relief. For example, if extremely favorable weather conditions affect a fruit or vegetable group in one particular part of the country, USDA can enter the market quickly to make a spot purchase, providing immediate market relief.

USDA can assure the purchase of domestic products, a statutory requirement guiding the commodity program. Current labeling requirements are not specific enough to provide local purchasers with this information. CLOC sites can only rely on manufacturer certification which is a time-consuming and error-prone method.

Administration: Implementation of a CLOC system would introduce inefficiencies and costs into the administration of the commodity system. At the Federal level, USDA would run two distributing systems. The NSLP represents only about one-half of the commodities distributed nationwide—the Department would still be in the business of purchasing commodities with its current administrative infrastructure. A CLOC system would impose a separate administrative structure while simultaneously jeopardizing the economies of scale currently available to the Department. Under one CLOC option of local choice between CLOC and commodities, the Department would enter into a perpetual guessing game each year regarding how much food to buy under each of the two systems, adding additional uncertainty and complexity to administration.

At the second level, considerable monitoring of CLOC purchases would be required by States to ensure that local school districts purchased products according to CLOC specifications. Because commodity purchases are time and amount specific, errors in CLOC purchases could lead to a reduction in agricultural support that could not be corrected. Further, States would be without financial resources to put such systems in place. Most States finance their administrative costs for commodity distribution from fees assessed on local recipient agencies. Without direct distribution, States lose income and a Federal CLOC system would have to provide some administrative resources. State administrative funds equivalent to those for the rest of the NSLP would cost \$9-\$10 million per year.

Recipients: The CLOC system evolved in the 1970's because local school districts were dissatisfied with the commodity system. They wanted more discretion over the form of the food, packaging, location of purchase and timing of delivery. But over the last 10-12 years, USDA has not only tested alternatives, it has made major improvements in the traditional commodity programs including smaller, easier-to-handle package sizes, more food variety, improved products (including reduced levels of fat and sodium) and improved delivery methods. In a national survey of school districts in the NSLP, almost three-fourths of the districts rated the overall performance of the commodity distribution system as excellent or very good.

In addition, the commodity system appears to benefit school districts compared to CLOC. Under a previous study, the food value of the commodities offered by the Department was worth two to three cents more than the food purchased locally with CLOCs, in part because schools purchased more highly processed items with the CLOC vouchers. Although large urban school districts may be able to replicate USDA's buying power, smaller districts and those that are geographically isolated may not.

Conclusion: Although the CLOC system may have superficial appeal because it increases local flexibility, the traditional commodity program continues to be the best mechanism for balancing producer and recipient needs. USDA's evaluation of the CLOC and commodity programs continue to suggest that there are no compelling reasons to incur the expense of continuing or expanding the CLOC system.

Mr. HALL of Ohio. Mr. Speaker, I rise in support of S. 2759, the Homeless Children Nutrition Improvement Act. Title II of the Act establishes a breast feeding promotion program designed to foster greater public acceptance of breast feeding as the best form of infant nutrition and assist breast feeding women by the distribution of breast feeding equipment. This bill is identical to H.R. 4322, the Breast Feeding Promotion Act, which my distinguished colleagues Representatives MOLINARI, EMERSON, and I introduced on March 25, 1992.

Title II of this act is important for several reasons. The first and foremost reason is that breast feeding is indeed the best form of infant nutrition. Breastmilk cannot be duplicated in its ability to uniquely provide the precise nutritional requirements for each infant. Furthermore, studies have documented its immunological properties that decrease the incidence of allergies, upper respiratory infections, and diarrhea. Most recently, research has shown a correlation between breastmilk and higher IQ's in children who have been breast fed. Finally, breast feeding is one of the few practices that is totally free.

In spite of the enormous benefits attributed to breast feeding, its incidence is declining in all sectors of society, but most notably among low-income women. In 1982, 62 percent of new mothers breast fed their infants. In 1988, 6 years later, only 54 percent breast fed. For low-income women, the figures are more disturbing. Only 35 percent of women with incomes less than \$7,000 breast fed, as opposed to 70 percent of women with incomes over \$25,000.

Title II of S. 2759 seeks to address this decline. It will enable the Department of Agri-

culture to continue and expand its existing efforts to promote breast feeding in the United States, by educating the public and women in particular, about the merits of breast feeding, encourage further coordination among organizations currently involved in breast feeding promotion, and assist women in their breast feeding efforts by providing needed equipment such as breastpumps.

Mr. Speaker, by adopting S. 2759 we will be helping to provide infants with the very best start they can have, mother's milk. And if they have a good start, the odds are significantly increased that they will have a better tomorrow.

□ 1900

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

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

The SPEAKER pro tempore (Mr. ABERCROMBIE). The question is on the motion offered by the gentleman from Michigan [Mr. KILDEE] that the House suspend the rules and pass the Senate bill, S. 2759, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

The title of the Senate bill was amended so as to read: "An act to amend the National School Lunch Act and the Child Nutrition Act of 1966 to improve certain nutrition programs, to improve the nutritional health of children, and for other purposes."

A motion to reconsider was laid on the table.

#### FOOD SERVICE INSTITUTE IN MISSISSIPPI

Mr. KILDEE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2917) to amend the National School Lunch Act to authorize the Secretary of Agriculture to provide financial and other assistance to the University of Mississippi, in cooperation with the University of Southern Mississippi, to establish and maintain a food service management institute, and for other purposes.

The Clerk read as follows:

S. 2917

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FOOD SERVICE MANAGEMENT INSTITUTE.

Section 21(a)(2) of the National School Lunch Act (42 U.S.C. 1769b-1(a)(2)) is amended by inserting after "is authorized" the following: "to provide financial and other assistance to the University of Mississippi, in cooperation with the University of Southern Mississippi,"

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan [Mr. KILDEE] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

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

GENERAL LEAVE

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 2917, the Senate bill presently under consideration.

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

There was no objection.

Mr. KILDEE. Mr. Speaker, I yield myself such time as I may consume. S. 2917, is a no-cost technical amendment to the National School Lunch Act which clarifies that the Food Service Management Institute [FSMI] is a non-Federal entity affiliated with the University of Mississippi.

This clarification ensures that as an affiliate of the University of Mississippi, the Institute will be able to operate under its administrative procedures, and as a non-Federal entity the Institute will be able to accept gifts, enter into private sector contracts, and be eligible for funding from other Federal agencies.

This technical amendment reflects the original intent of Congress when it established the Institute in 1989 and I urge its adoption.

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

Mr. Speaker, I rise in support of S. 2917. This bill is essentially an administration initiative which responds to concerns held by USDA's legal staff regarding the Food and Nutrition Service's [FNS] current administration of the FSMI authorized by section 21(a)(2) of the National School Lunch Act. Their concerns are that FNS does not have any legal authority to make grants or enter into cooperative agreements for the implementation of the statutory purposes established for the FSMI.

S. 2917's basic objectives are to designate the FSMI as a non-Federal entity affiliated with the University of Mississippi and to thus provide the FSMI with access to a range of additional activity-funding options.

Mr. Speaker, I urge my colleagues to give S. 2917 their support.

Mr. FORD of Michigan. Mr. Speaker, I rise in support of S. 2917, the maintenance of the National Food Service Management Institute Act.

The National Food Service Management Institute [NFSMI] was established and authorized by the Child Nutrition and WIC Reauthorization Act of 1989. The institute is the only federally funded institute dedicated to child nutrition and related programs.

The purpose of the institute is to design and conduct activities to improve the operation and quality of child nutrition programs authorized by the National School Lunch Act and the Child Nutrition Act.

In order for the institute to fulfill the purposes of this act in an efficient and effective

manner, this legislation is necessary. S. 2917 will correct some problems which the institute has experienced since the enactment of the law and make it possible for the Secretary of Agriculture to provide direct assistance to the University of Mississippi instead of treating the National Food Management Institute as another Federal agency.

The National Food Service Management Institute conducts research, provides education and training, and operates a clearinghouse. One specific example of the problems with the current law is that the executive office, the division of education and training, and the division of technology transfer are located at the University of Mississippi in Oxford. The division of applied research is located at the University of Southern Mississippi at Hattiesburg. When it is necessary for employees to travel from Oxford to Hattiesburg, current law requires that permission has to be obtained directly from the U.S. Department of Agriculture [USDA]. S. 2917 will correct this awkward and time-consuming procedure.

Another problem with the current law is the requirement that the institute obtain permission from USDA to conduct research on specific issues. Consequently, if USDA disagrees with the specific area of research, the institute is prevented from conducting the research. We want the institute to produce independent, valid, reliable, and fair research in order that we may have broad and scholarly information relative to Federal child nutrition programs. This information will be beneficial to Members of Congress as they deliberate in developing and setting forth the best public policy possible for the beneficiaries of the program; namely, our children.

This legislation is necessary to improve current law. It will provide for more efficient and effective management of the institute. I urge my colleagues to support this measure.

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

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

The SPEAKER pro tempore (Mr. VALENTINE). The question is on the motion offered by the gentleman from Michigan [Mr. KILDEE] that the House suspend the rules and pass the Senate bill, S. 2917.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### ROBERT A. ROE FEDERAL BUILDING

Mr. SAVAGE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5431) to designate the Federal building located at 200 Federal Plaza in Paterson, NJ, as the "Robert A. Roe Federal Building."

The Clerk read as follows:

H.R. 5421

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. DESIGNATION.

The Federal building located at 200 Federal Plaza in Paterson, New Jersey, shall be known and designated as the "Robert A. Roe Federal Building".

## SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Robert A. Roe Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. SAVAGE] will be recognized for 20 minutes, and the gentleman from Oklahoma [Mr. INHOFE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. SAVAGE].

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

Mr. Speaker, H.R. 5431 is a bill to designate the Federal Building located at 200 Federal Plaza in Paterson, NJ, as the "Robert A. Roe Federal Building," a bill I enthusiastically and wholeheartedly support because the gentleman from New Jersey, Chairman ROE has served the Congress with dedication and diligence for more than 20 years.

His career in public service spans activity at the local and State levels. He served in the Governor's cabinet, as mayor of Wayne, NJ, and as Passaic County executive. Indeed, his vigorous advocacy of the interests of the people of northern New Jersey has made possible immeasurable improvements to their quality of life.

In Congress, the gentleman from New Jersey, BOB ROE distinguished himself on the House Committee on Science, Space, and Technology. His leadership on that committee was evident when, in 1988, the space shuttle *Discovery* was successfully launched and the United States returned to space exploration.

The gentleman from New Jersey, Congressman ROE, also has been an effective, imaginative, and determined leader in improving the research capabilities of our Nation in general.

As current chairman of the Committee on Public Works and Transportation, the gentleman from New Jersey, BOB ROE, led enactment of the precedent-setting Intermodal Surface Transportation Efficiency Act. As a result of this transportation legislation, millions of jobs will be created and the Nation's crumbling infrastructure will be rebuilt.

Patience, good humor, dedicated and hard-working are just a few words to describe this outstanding colleague and loyal friend. I urge support of this legislation, which would be a fitting tribute to our distinguished colleague, ROBERT ROE.

Mr. Speaker, I urge adoption of H.R. 5431.

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

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

Mr. Speaker, H.R. 5431 which will designate the Federal building located in Paterson, NJ, as the "Robert A. Roe Federal Building," is a fitting tribute for Chairman BOB ROE given his long and dedicated service to the people of New Jersey.

□ 1910

As a veteran of World War II, Chairman ROE served with the Army infantry and reconnaissance force in the European theater. He received the Bronze Star for exemplary service in ground combat action.

Although by profession, Chairman ROE is an engineer, after reviewing his long list of accomplishments, I would say that his first love is politics. Chairman ROE began his public service as a committeeman for Wayne township and later served as the mayor of Wayne township. He was first elected to Congress in 1969 and has served with distinction ever since.

His leadership this past year on the Intermodal Surface Transportation Efficiency Act resulted in a major infrastructure rebuilding initiative which refocused transportation priorities for years to come.

His leadership and friendship will be sorely missed by all of us. I urge my colleagues to join me in support of H.R. 5431.

Mr. SAVAGE. Mr. Speaker, I yield such time as he may consume to my distinguished colleague, the gentleman from California [Mr. ANDERSON], the former chairman of the Committee on Public Works and Transportation.

Mr. ANDERSON. Mr. Speaker, this evening we consider bills to name Federal buildings in New Jersey and Arkansas after two of the most esteemed gentlemen in Congress. This body could not take a more fitting action. I have had the pleasure to work with both of these men for many a year, far longer than my years like to admit. There is not a more dignified gentleman in this body than JOHN PAUL HAMMERSCHMIDT. No chairman of any committee could have claimed to have a better ranking minority member than I could when I was chairman. BOB ROE has the pleasure of that relationship now. Though BOB's chairmanship will be all too short, during his tenure the Public Works Committee crafted what I think will prove to be the most important piece of legislation of this session, the Intermodal Surface Transportation and Efficiency Act. This House will lose much of its richness when these two men leave its halls. Their constituents and their States lose even more. The tribute we give them today is but a shadow of the reward we owe these men, public servants in the truest sense of the phrase.

I would also like to mention that I've looked down the list of the bills before us and found my own name there. I want to express my deep gratitude to

ED ROYBAL for introducing this bill. Few men are lucky enough to have a friend like him. I also want to thank my friends on the Public Works and Transportation Committee for moving this bill forward, especially the chairman of the Public Buildings and Grounds Subcommittee, Mr. SAVAGE and the fine ranking minority member of the subcommittee, Mr. INHOFE. I think everyone on that committee knows how much I love the community of Long Beach and its surrounding cities. This is a proud moment for me.

Mr. INHOFE. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in enthusiastic support for this bill to name the new Federal building in Paterson, NJ, for my dear friend and committee colleague, Congressman BOB ROE.

No one has worked harder and more successfully for the citizens of Paterson and Passaic County, the State of New Jersey, and the Nation than Chairman BOB ROE. I speak with a great deal of firsthand knowledge, because it has been my great pleasure to have served with BOB in this body for nearly 24 years.

He has worked with the same dedication and determination as a Member of this House as he did during his long and outstanding career in local and State government more than two decades ago.

During our service as fellow subcommittee members and later as chairman and ranking Republican member respectively, BOB and I have worked closely in developing legislation that has kept and will continue to keep our Nation's infrastructure strong and our national economy healthy.

One of those accomplishments, the Intermodal Surface Transportation Efficiency Act of 1991, will give America a new national intermodal transportation policy that will enable us to compete effectively in the global economy of the next century.

The imprint of BOB ROE has also been felt in the Nation's space and research programs, which he helped guide so effectively as chairman of the Science, Space, and Technology Committee from 1987 to 1990.

The people in BOB ROE's district know how tirelessly he has worked for them, and 12 consecutive terms in this body attest to that fact.

In Paterson, NJ, they know what BOB ROE has done to make the new Federal building a reality. In 1983, he was successful in getting committee approval of the resolution authorizing a feasibility study on the need to consolidate Federal agencies in the Paterson area.

Two years later, the resolution was approved to allow construction of a Federal building in Paterson, and in 1989, the necessary funding was provided to begin construction.

Just last month, the \$8.8 million facility was dedicated, and it now houses the U.S. Probation Office, Navy recruiters, Social Security, and the IRS.

This new Federal building is another outstanding example of the vision of BOB ROE in meeting the needs of an area and then working diligently with all of the necessary agencies, officials, and congressional committees to make the project a reality. It is altogether fitting that the building bear the name of the man who worked so hard for its completion.

BOB ROE has been a passionate and effective spokesman for a sound system of public works and transportation, with all of the benefits they bring to the national economy. Even more important, he has matched his words with deeds.

I urge my colleagues to support this legislation and the highly deserved honor it brings to Chairman BOB ROE.

Mr. SAVAGE. Mr. Speaker, I yield 5 minutes to our distinguished colleague, the gentleman from California [Mr. MINETA], chairman of the Subcommittee on Surface Transportation of the Committee on Public Works and Transportation.

Mr. MINETA. Mr. Speaker, I rise in strong support of H.R. 5431, to designate the Federal building located at 200 Federal Plaza in Paterson, NJ, as the "Robert A. Roe Federal Building."

Mr. Speaker, H.R. 5431 is a fitting tribute to a Member who has devoted his entire life to public service.

I think it's safe to say that no one in this House works harder than BOB ROE. He is totally dedicated to improving the quality of life for all Americans.

BOB ROE's tireless efforts ensured that the Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA], the most important legislation of this Congress, became a reality.

He put in more hours last year than anyone—sometimes even working around the clock to complete what truly is landmark legislation and anyone who has worked with BOB knows that he takes the saying, "blood, sweat, and tears," quite literally.

The ISTEA legislation is just one example of his achievements. He was a principal architect of the Superfund Program, and he's responsible for putting the water resources program on a 2-year cycle.

In whatever he does, he is truly visionary. While most people think of infrastructure as potholes, BOB ROE thinks in terms of global economy, productivity, energy efficiency, and resource investment.

The distinguished chairman of the Committee on Public Works and Transportation, and dean of the New Jersey delegation, Mr. ROE was first elected to the U.S. House of Representatives to fill an unexpired term of office in a special election in 1969, and has been re-elected to each succeeding Congress.

Before assuming the chairmanship at Public Works in 1991, Congressman ROE was chairman of the Science, Space, and Technology Committee for 4 years. He played a major leadership role in returning the United States to space in 1988 with the successful launch of the space shuttle *Discovery*.

Under his guidance, the Science Committee passed legislation dealing with such important issues as the superconducting super collider, U.S. technological competitiveness, fusion development, and the modernization of U.S. research facilities.

Prior to being elected to Congress, Chairman ROE already had a long and distinguished career in public service. He served in the Governor's cabinet as State of New Jersey Commissioner of Conservation and Economic Development. In local government, he was director of the Board of Chosen Freeholders of Passaic County, NJ, and the mayor of Wayne, NJ.

Mr. Speaker, there is a saying that "one man can make a difference." When that one man is BOB ROE, truer words were never spoken. When he leaves this House, not only will he be missed by this distinguished body, but by the Nation as well.

BOB ROE has been an outstanding leader, a dedicated policymaker, and a good friend.

Mr. Speaker, I urge adoption of this bill.

□ 1920

Mr. INHOFE. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Speaker, I rise in support of H.R. 5431, a bill to designate the Federal building located at 200 Federal Plaza in Paterson, NJ, as the "Robert A. Roe Federal Building."

I have had the distinct honor of serving under the careful, deliberative guidance of Chairman ROE on the Public Works and Transportation Committee. I have also been fortunate to know BOB ROE outside the confines of his role as chairman, and I am convinced that Congress will be a lesser place after his departure at the end of this congressional term. His friendship has always been valuable to me.

Through the chairmanship of two House committees he has been a major force in national policy and his contributions will be appreciated for many years to come. Most significantly, during the 102d Congress, I had the opportunity to work with the chairman on the landmark Intermodal Surface Transportation Efficiency Act of 1991 [ISTEA]. While working on ISTEA, I was impressed by the chairman's breadth and depth of knowledge on transportation issues. Congressman ROE deserves the distinction of reorienting the direction of national transportation policy in order to provide the economic foundation for the United

States to compete in the global marketplace today, and into the 21st century. I also would like to commend the bipartisan spirit he infused into the entire process of writing ISTEA and shepherding its passage into law.

I also had the pleasure of working with him as he chaired the Science, Space, and Technology Committee from 1987 to 1990. We worked side by side as America returned to space following the *Challenger* disaster. Throughout the entire painful process, Chairman ROE sought to revitalize hope in the space program and showed unfailing compassion as this Nation sought to heal its wounds.

Having served with a man of such integrity and vision, I urge my colleagues to unanimously support this measure, which is a fitting tribute to a man which has served his country in such a distinguished and dignified manner.

And personally, I want to convey my love and appreciation to the gentleman from New Jersey [Mr. ROE] for the man that he is and for the friend that he has become.

Mr. INHOFE. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Speaker, I rise in support of H.R. 5431, and appreciate the gentleman yielding me the time.

I have worked with the gentleman from New Jersey, Congressman ROE, and I am a sophomore this year, but from the very first day I entered in Congress I was working with Mr. ROE when he was chairman of the Science, Space, and Technology Committee. And I just would like to rise in support and express my admiration for Congressman ROE and the wonderful things he has done during his entire life as a Congressman. He has dedicated his entire life to public service, and I believe that naming a Federal building after a man who has committed so much of his life to helping America, and making America a better place, and for the work that he has done here in Congress is fitting and proper.

It seems to me that I have developed a relationship with this distinguished gentleman over the years. I just would like to say from what I know of him he is a man who thinks about the future. And when he was on the Science, Space, and Technology Committee as chairman he was basically laying a foundation for the future and for a better future for America. He served with distinction on the Science, Space, and Technology Committee, and he has served on the Public Works and Transportation Committee of which he is now chairman, of course, and let us note that he is laying a foundation there as well. They call it infrastructure here, but it is the foundation of a prosperous and growing America.

Let me note that not only do we honor him today for what he has ac-

complished, and he has accomplished a great deal during his tenure in office, but also we salute him today for the way he has treated other Members of Congress. There are people who may have power in their hands, and they are not quite as nice as Congressman ROE. And even when we had disagreements on the committee, and I was a rather abrupt freshman and did not know all of the rules, he treated me extremely well and with respect, and actually went out of his way on several occasions to make sure I knew exactly what the rules were and how to do it right.

So it is my pleasure to be here to honor him today and to note one other thing that I also saw in BOB ROE, which is that he was really more concerned about America than he was about partisanship or political party, and that says a lot about him.

So today I am very pleased to be here in support of this measure. Naming a Federal building after a person like this is really a tribute to him, because he has dedicated his life to public service, and this building will house people who also are continuing to serve the American people, and they can do so very proudly with the name of ROBERT ROE on their Federal building. So I appreciate this opportunity to participate in the debate.

Mr. SHUSTER. Mr. Speaker, I rise in strong support for this bill. No one has worked harder and more effectively for the betterment of our Nation and its people than my good friend, Chairman BOB ROE.

He had a distinguished career in his home State of New Jersey, even before his election to Congress, including service as director of the board of chosen freeholders of Passaic County, NJ, and as mayor of Wayne.

Since his election to the house in 1969, BOB ROE has made his mark on the Public Works and Transportation Committee and the Science, Space, and Technology Committee, and has been chairman of both.

It has been a distinct pleasure and an honor to serve with BOB ROE. I cherish his friendship and the hours we have spent working together. He is a master of detail, a tireless worker, and absolutely relentless in the pursuit of what he believes is the right course of action.

I particularly recall his tremendous leadership role in guiding the massive 1986 Water Resources Development Act, Clean Water Act Reauthorizations, and the Superfund hazardous waste cleanup bills to their eventual enactment.

One thing that characterizes BOB ROE's impressive record of service is commitment. He deeply believes in the importance of a strong infrastructure to this Nation's well-being. He is also visionary enough to see that only through an efficient intermodal transportation system will our Nation be able to compete effectively in the global marketplace as we enter the 21st century.

The people of New Jersey obviously appreciate the tremendous service they have received from Congressman BOB ROE during his

long and distinguished career. Those of us who work closely with him here in Congress will miss his leadership as well when he ends his congressional service at the close of this Congress.

Mr. Speaker, this is a most fitting tribute to BOB ROE, and I urge its approval.

Mrs. LLOYD. Mr. Speaker, I rise in support of the resolution to name the Federal building in Patterson, NJ, after our esteemed colleague, ROBERT A. ROE. For many years I have worked closely with Chairman ROE on the Science Committee. There he worked tirelessly to advance the cause of science in this country. As chairman of the Science Committee he sought to build a consensus, bipartisan science policy that would further the prestige and leadership of the United States in the world science community.

Before it was fashionable, BOB ROE fought to maintain our Nation's investment in science and technology. Before most, he recognized that our Nation's future well-being was integrally tied to our technological prowess and that science education for America's youth was essential if our Nation was to effectively compete in a high-tech world. He fought tirelessly to bring the Congress and the public to understand that indeed, investment in science and technology would create the wealth of the future.

In recognition of his efforts to awaken America to the challenge of the age of technology, it is fitting that we name this Federal building in his honor.

Mr. HUGHES. Mr. Speaker, I rise in support of H.R. 5431, legislation to designate a Federal building in Paterson, NJ, the "Robert A. Roe Federal Building." I must say, however, that I have mixed emotions about this legislation.

On the one hand, there is probably no one in the Congress who deserves to have a Federal building named after him more than BOB ROE.

As a member and chairman of the House Committee on Public Works and Transportation, BOB ROE has devoted his career to his tireless efforts to rebuild and modernize our Nation's infrastructure.

BOB ROE understood long before most people that in order for America to compete in what has increasingly become a global economy, we must provide the roads, sewer lines, ports, airports, rail lines, court houses and other public facilities needed to strengthen our economic foundation here at home.

It was BOB ROE who led the fight year after year to make the investments in America which create jobs, generate tax revenues, improve efficiency and productivity, and still leave us something to show for the money after it has been spent.

Indeed, it is difficult, if not impossible, to go into any State in America where BOB ROE has not had an important role to play in bringing about a transportation or infrastructure improvement project which has helped to strengthen the local economy.

But while I am pleased to join in honoring BOB ROE's many accomplishments by naming a Federal building in his hometown of Paterson after him, I am saddened that this legislation was prompted by his decision to retire from the Congress.

I have had the pleasure of knowing BOB ROE and working with him throughout my career in Congress. I have always regarded him a man of great integrity, energy, idealism, and compassion. Everyone who has come to know BOB ROE over the years knows that he is a one of a kind, and that the Congress just won't be the same without him.

I'm going to miss him, our State of New Jersey is going to miss him, and our Nation is going to miss him. He is an outstanding public servant and a great friend, and I am pleased to join in this modest tribute to one of the giants in the Congress.

Mr. VISCLOSKEY. Mr. Speaker, today, the Members of the House of Representatives will vote on legislation honoring our distinguished colleague and chairman of the Public Works and Transportation Committee, ROBERT A. ROE. As a former member of the Public Works and Transportation Committee, I would like to take this opportunity to pay a brief personal tribute to Chairman ROE.

As chairman of the Science, Space, and Technology Committee, ROBERT ROE is credited with the revival of NASA's space shuttle program and promoting a new era in the small rocket industry.

After 4 years as pilot of the Science, Space, and Technology Committee, Congressman ROE achieved his goal of becoming the chairman of the Public Works and Transportation Committee.

Chairman ROE's experience, attitude, aggressiveness, and dedication helped to bring about one of the most important bills of the 102d Congress—the Intermodal Surface Transportation Infrastructure Act of 1991. This measure created highway and mass transit programs for the next 6 years. It will support 600,000 new and existing jobs in this year alone.

The highway bill is only one of Chairman ROE's many accomplishments. His efforts to clean up our Nation's water systems are found in the Clean Water Act reauthorization bills of 1982 and 1987. Chairman ROE played an important role in shaping the celebrated 1986 Superfund cleanup bill.

It is fitting, when one looks at Chairman ROE's legacy of promoting projects for the public good, that a Federal building in his home State, New Jersey, bear his name. Be it highways or star ships, there isn't a town in the United States that hasn't benefited from BOB ROE's hard work and leadership. I ask my colleagues to join me in recognizing ROBERT ROE today and support H.R. 5431.

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

Mr. SAVAGE. Mr. Speaker, again I urge adoption of H.R. 5431.

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

The SPEAKER pro tempore (Mr. VALENTINE). The question is on the motion offered by the gentleman from Illinois [Mr. SAVAGE] that the House suspend the rules and pass the bill, H.R. 5431.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 5431, the bill just passed.

The SPEAKER pro tempore (Mr. VALENTINE). Is there objection to the request of the gentleman from Illinois? There was no objection.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5679, DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND SUNDRY INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-749) on the resolution (H. Res. 529) providing for consideration of the bill (H.R. 5679) making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1993, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER DURING CONSIDERATION OF H.R. 5678, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-748) on the resolution (H. Res. 530) waiving certain points of order during consideration of the bill (H.R. 5678) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1993, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### JOHN PAUL HAMMERSCHMIDT FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. SAVAGE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5432) to designate the Federal building and U.S. courthouse located at the corner of College Avenue and Mountain Street in Fayetteville, AR, as the "John Paul Hammerschmidt Federal Building and United States Courthouse."

The Clerk read as follows:

H.R. 5432

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at the corner of College Avenue and Mountain Street in Fayetteville, Arkansas, is designated as the "John Paul Hammerschmidt Federal Building and United States Courthouse".

#### SEC. 2. LEGAL REFERENCES.

Any reference in any law, regulation, document, record, map, or other paper of the United States to the Federal building and courthouse referred to in section 1 is deemed to be a reference to the "John Paul Hammerschmidt Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. SAVAGE] will be recognized for 20 minutes, and the gentleman from Oklahoma [Mr. INHOFE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. SAVAGE].

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

Mr. Speaker, H.R. 5432 is a bill to designate the Federal building and U.S. Courthouse, located at the corner of College Avenue and Mountain Street in Fayetteville, AR, as the "John Paul Hammerschmidt Federal Building and United States Courthouse." I urge its passage as an appropriate, fitting accolade for JOHN PAUL HAMMERSCHMIDT, ranking member of the Public Works and Transportation Committee, since 1987.

Congressman HAMMERSCHMIDT's public career covers 25 years.

In addition to his elected duties, Congressman HAMMERSCHMIDT served on the board of review for the Metropolitan Washington Airports Authority, and on the Presidential Commission on Aviation, Security, and Terrorism. Environmental issues, as well as transportation issues, have held particular interest for this dean of the Arkansas delegation.

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

Mr. Speaker, JOHN PAUL HAMMERSCHMIDT will certainly be missed, and it would be an understatement just to make that statement. During his 26-year tenure in the House, JOHN PAUL has distinguished himself as both a gentleman and a statesman.

As a combat pilot in World War II, he flew 217 missions in a C-47 with the 3d Combat Cargo Group over "The Hump" in the China-Burma-India theatre. Following his active military service, he served as a major with the Air Force Reserve.

Prior to coming to Congress in 1967, JOHN PAUL was a successful businessman in Harrison, AR, as well as active in various civic, professional, and veteran organizations.

Throughout his service in Congress, JOHN PAUL has been on the Public

Works and Transportation Committee, serving as ranking on the Aviation, Water Resources and Economic Development Subcommittees prior to being elected ranking member of the full committee in 1987.

I feel a special kinship to JOHN PAUL in particular since our very close proximity. Our districts almost touch each other, not quite.

Three of my children graduated from the University of Arkansas in his district in Fayetteville, AR. In fact, when I was mayor of the city of Tulsa, they used to always play the first game of the year with the University of Arkansas playing the University of Tulsa, and they would always put my two daughters, who were cheerleaders, to lead the "Hog" cheers in front of the Tulsa group, and I was mayor of Tulsa at that time, so I, of course, had some mixed emotions.

My daughter right now is on the staff, with her Ph.D., of the University of Arkansas, and she tells me—I say to the gentleman from Arkansas [Mr. HAMMERSCHMIDT]—that she can now see the John Paul Hammerschmidt Building from her office.

Although JOHN PAUL will no longer be with us on a daily basis, I am confident that he will still be an active participant in the political process and I hope available to advise and counsel.

H.R. 5432 which will designate the Federal building and courthouse in Fayetteville the "John Paul Hammerschmidt Federal Building and United States Courthouse" is a fitting tribute and I urge my colleagues to support it.

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

Mr. SAVAGE. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from New Jersey [Mr. ROE], chairman of the Committee on Public Works and Transportation.

Mr. ROE. Mr. Speaker, I thank the gentleman, the distinguished chairman of our Subcommittee on Buildings and Grounds, for yielding me this time.

Mr. Speaker, I am highly honored and pleased to join in support, strong support, of the bill which is a fitting, well-earned and well-deserved tribute to my good friend, dear friend, and colleague, JOHN PAUL HAMMERSCHMIDT. I am proud to say that the committee's success over the last 20 years, 26 years I believe it is, to be exact, have been due in large part to the cooperation and the congeniality and hard work of the distinguished gentleman from Arkansas. I liken JOHN to being one of the great master builders of America. His grasp of the issues and his willingness to resolve problems have contributed to his outstanding leadership on the committee. He is not a problem maker; he is a problem solver. And, of course, JOHN PAUL has enjoyed a truly outstanding public career.

He is, as was mentioned by some of our other colleagues, the dean of the

Arkansas delegation and has represented the 3d District of Arkansas since January 3, 1967. He has been the ranking member of the Committee on Public Works and Transportation since 1987.

Because of his outstanding work on the Committee on Veterans' Affairs, he has been awarded many national legislative honors by various, many various national veterans' organizations.

As was mentioned by our colleague, the gentleman from Oklahoma, there are not too many people who know around here of JOHN PAUL'S outstanding military service. He also was a combat pilot in World War II, and flew, again, 217 missions with the 3d Combat Cargo Group in the China-Burma-India theater.

He has received many distinguished honors and medals and recognition from many governments, both ours and other overseas governments, and, of course, he is retired as an Air Force Reserve major, and then continued to serve in the National Guard, as I understand it, as a pilot for many years thereafter.

The General Services Administration submitted a prospectus to the Committee on Public Works and Transportation in February 1968, for the construction of a Federal office building and U.S. courthouse in Fayetteville, AR. The prospectus was approved by the Congress in May 1968.

In 1974 the building was constructed at College Avenue and East Mountain Street. The building houses numerous Federal entities such as the Department of Agriculture, the U.S. district courts, the Department of Health and Human Services, and the Department of the Treasury.

Congressman HAMMERSCHMIDT realized Fayetteville's need for a new courthouse and Federal office building and the benefits that would accrue to the city as a result. As a member of the committee, he provided important support for construction of the building and setting aside this important building in Arkansas.

Before running for Congress, JOHN PAUL had been a lumberman, builder, and building supplies businessman. He was active in many civic, professional, and veterans organizations. Whatever he did, he did with dignity and grace.

JOHN PAUL is a gentleman in the true sense of the word. He is a man of great compassion, understanding, and wisdom, and I urge passage of this most deserving legislation.

Mr. INHOFE. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Speaker, I rise in support of H.R. 5432 to designate the Federal building and U.S. courthouse located at the corner of College Avenue and Mountain Street in Fayetteville, AR, as the "John Paul Hammerschmidt Federal Building and United

States Courthouse." As a friend and a colleague, I will sincerely miss Congressman JOHN PAUL HAMMERSCHMIDT.

Congressman HAMMERSCHMIDT was elected to the 90th Congress and served 13 consecutive terms in the House of Representatives. I have had the pleasure of serving with him on the Public Works and Transportation Committee. As the ranking minority member of the committee, JOHN PAUL provided uncompromising leadership and outstanding advocacy of sound public policy.

We worked closely together on many important pieces of legislation such as the Intermodal Surface Transportation Efficiency Act [ISTEA], the Clean Air Act, and superfund legislation. His contributions to the quality of life in America will long be remembered because of these and other laws. I have always appreciated and been impressed by his diligent concern for the public interest.

JOHN PAUL HAMMERSCHMIDT has also provided his counsel and wisdom that springs from years of experience in Congress to me. I value his friendship, and would like to thank him for the courtesy he has always afforded me, both as colleague and comrade. As he is retiring at the end of this Congress, ending an unblemished record of distinguished service, I salute his efforts and will miss working with him on public works legislation, and the business of governing.

Among the fine men I have had the honor of serving with in Congress he is without peer as a leader, a gentleman, and a legislator. The esteem I hold for Mr. HAMMERSCHMIDT and for that matter the esteem the entire Congress holds for him is only exceeded by the esteem for which he is held by the people of northwest Arkansas. I urge my colleagues to support this legislation unanimously as a small monument to Congressman HAMMERSCHMIDT'S two decades of distinguished public service.

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Mr. SAVAGE. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, I rise in support of H.R. 5432, to designate the Federal building and U.S. courthouse located at the corner of College Avenue and Mountain Street in Fayetteville, AR, as the "John Paul Hammerschmidt Federal Building and United States Courthouse."

Mr. Speaker, there is no individual in the House who is more loved and respected than JOHN PAUL HAMMERSCHMIDT. His honesty, gentleness, decency, and integrity are second to none. Don't be swayed by his quiet manner, because underneath is a man with strong convictions, a sense of purpose, and a keen desire to get things done.

One of the pleasures of being a member of the Public Works Committee is

that we try to work out our differences, Democrats and Republicans, to do what is best for America. Few will dispute that it was JOHN PAUL, because of his personality and effectiveness, who many times made the difference in ensuring bipartisan support on key infrastructure legislation.

Congressman HAMMERSCHMIDT, distinguished dean of the Arkansas delegation, has represented the 3d District of Arkansas since January 3, 1967, and has been the ranking member of the Public Works and Transportation Committee since 1987.

JOHN PAUL has also served on the Veterans Affairs Committee since 1967, as ranking member from the 93d Congress, and ranking member of its Hospitals and Health Care Subcommittee. He has been awarded legislative honors by eight national veterans service organizations.

Few know that he was a combat pilot in World War II, flying 217 missions with the 3d Combat Cargo Group over "The Hump" in the China-Burma-India theatre. He was awarded the Distinguished Flying Cross with three oak leaf clusters, the Air Medal with four oak leaf clusters, three battle stars, the China War Memorial Medal by the Republic of China, and the Meritorious Service Award. He retired from the Air Force Reserve as a major.

Before coming to Washington, JOHN PAUL was a lumberman, builder, and building supplies businessman by profession in his hometown of Harrison, AR. He was active in many civic, professional, and veteran organizations before running for Congress, the only elective office he has sought or held.

As you know, JOHN PAUL is retiring at the end of this session. This body is worse for his leaving, but better for his being here. We all wish him well in his retirement, and this bill is a fitting tribute to his outstanding contributions to the Nation.

Mr. Speaker, I urge my colleagues to support its passage.

Mr. SHUSTER. Mr. Speaker, I rise in enthusiastic support for this bill to name the Federal building and U.S. courthouse in Fayetteville, AR, for my dear friend and colleague, Congressman JOHN PAUL HAMMERSCHMIDT. It has been a special privilege to have worked closely with him for the past two decades.

For almost 26 years in this body and as a member of the Public Works and Transportation Committee, JOHN PAUL HAMMERSCHMIDT has worked diligently and effectively for the people of Arkansas and the Nation. The citizens of Fayetteville and throughout northern and western Arkansas know and appreciate the important role he has played in the growth of that region.

Those of us honored to serve with him on the committee also know very well what JOHN PAUL has meant to his district, and certainly his 13 consecutive terms in the House are a tribute to his accomplishments.

Few Members are so well versed in the work of the Public Works Committee. Con-

gressman HAMMERSCHMIDT served as the ranking Republican member on three of our six subcommittees before becoming ranking on the full committee.

During that time, he has been an outspoken advocate for a strong infrastructure, and he has been especially vocal in demanding that the revenues in our transportation trust funds be used to support the transportation programs for which they are collected.

He is also one of this body's strongest supporters of sound programs for our Nation's veterans. In that regard, he served as the ranking Republican member of the Veterans' Affairs Committee from 1975 through 1986.

This is an honor well earned by one of the true gentlemen in this House. I feel most fortunate to have shared so many good years with him and to have benefited so greatly from his wise counsel. He will be greatly missed when he retires at the end of this Congress.

I urge my colleagues to support this bill.

Mr. MONTGOMERY. Mr. Speaker, I rise in strong support of this legislation to name the Federal building in Fayetteville, AR, in honor of our colleague, Representative JOHN PAUL HAMMERSCHMIDT.

JOHN PAUL and I came to Congress together in 1967. We became friends then and we have continued that close friendship to this day. He was appointed to the Veterans' Affairs Committee in 1967 and between 1975 and 1986, JOHN PAUL was the ranking minority member on the VA Committee. I worked closely with him on veterans issues over those years and he was always so supportive of efforts to improve programs and benefits for our Nation's veterans.

In 1987, JOHN PAUL gave up his ranking minority member position on the VA Committee to take the same position on the Public Works and Transportation Committee, where he has done an outstanding job.

I regret that my good friend won't be back in the 103d Congress. He has served the people of Arkansas and this country with great distinction. They will miss his experience and leadership, just as we will here in this Chamber. But I know all my colleagues join me in wishing only the best for JOHN PAUL and Virginia as they return to Arkansas. This action today will serve as a lasting tribute to the contributions JOHN PAUL has made over the past 25 years in the House of Representatives. I strongly support its passage as a salute to my good friend and colleague.

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

Mr. SAVAGE. Mr. Speaker, I urge the adoption of H.R. 5432, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. VALENTINE). The question is on the motion offered by the gentleman from Illinois [Mr. SAVAGE] that the House suspend the rules and pass the bill, H.R. 5432.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SAVAGE. 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 H.R. 5432, the bill just passed.

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

There was no objection.

#### GLENN M. ANDERSON FEDERAL BUILDING

Mr. SAVAGE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4438) to designate the Federal building located at 501 West Ocean Boulevard in Long Beach, CA, as the "Glenn M. Anderson Federal Building."

The Clerk read as follows:

H.R. 4438

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION.

The Federal building located at 501 West Ocean Boulevard in Long Beach, California, shall be known and designated as the "Glenn M. Anderson Federal Building".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Glenn M. Anderson Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. SAVAGE] will be recognized for 20 minutes, and the gentleman from Oklahoma [Mr. INHOFE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. SAVAGE].

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

Mr. Speaker, H.R. 4438 is a bill to designate the Federal building, at 501 West Ocean Boulevard, in Long Beach, CA, as the "Glenn M. Anderson Federal Building."

I strongly urge its passage as a fitting tribute to the long, distinguished, and productive public career of our dedicated colleague, GLENN ANDERSON. He has been a staunch champion of intermodal transportation issues, environmental causes, and economic development programs, as a hardworking member and dutiful chairman of the House Committee on Public Works and Transportation.

His public service contributions not only span five decades, they are unusually distinguished: Just consider service as the mayor of Hawthorne, CA, California State assemblyman, Lieutenant Governor of California, and Congressman from the 32d District in California.

As his colleagues in the House, we have benefited from his experience and

sincerity of this tireless public servant who so well deserves this honor.

I reserve the balance of my time.

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

As the chairman has already indicated, H.R. 4438 will designate the Federal building located at 501 West Ocean Boulevard in Long Beach, CA, as the "Glenn M. Anderson Federal Building." This is a fitting tribute to a man who has dedicated over 50 years to public service.

Since becoming mayor of Hawthorne, CA, in 1940, GLENN ANDERSON has served the people of California with distinction and honor. Throughout his 23 years in the House, GLENN has served on the Public Works and Transportation Committee as well as the Merchant Marine and Fisheries Committee. Both of which have significance for his district. As a member on the Merchant Marine and Fisheries Committee, GLENN's personal experience as a civic leader of a major port city along the California coast has added an important dimension to maritime discussions.

GLENN's leadership on the House Public Works and Transportation Committee is highlighted by major policy initiatives in the areas of mass transit, highway safety, and interstate commerce.

Given his long and distinguished career, I fully support H.R. 4438 and believe it to be an appropriate tribute to GLENN ANDERSON. I urge my colleagues to support it.

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Mr. SAVAGE. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey [Mr. ROE], Chairman of the Committee on Public Works and Transportation.

Mr. ROE. I thank the distinguished chairman of our Subcommittee on Buildings and Grounds.

Mr. Speaker, I want to join in strong support of this legislation. Our distinguished colleague and chairman emeritus of the Committee on Public Works and Transportation, the Honorable GLENN M. ANDERSON of California, has served our country and the House with greatest honor, loyalty, and distinction. As was indicated, with over 50 years of public service, GLENN has been a tireless worker for transportation, environment, and maritime issues. His accomplishments have been of great benefit to all Americans.

I liken him also to one of the great master builders of America. I am not sure that if he stayed here much longer we would be able to get any more programs into the State of California—it is about ready to sink into the Pacific Ocean.

But he has done so many great things, and like everything else in life you never hear in your own home town. It is good to have the opportunity to speak out on his behalf.

I think in my own mind the airports, major airports of California for transcontinental flight, major water resources, would not have been possible—and I am not just talking about a well here or a well there, I am talking about major dams, flood control programs, really the whole infrastructure of the State of California, particularly the port of Long Beach and Los Angeles, which now is one of the—he tells me—the most rapidly growing or largest port facility in the United States. He even does not hesitate to advise me that it is larger than our port of New Jersey and New York. We never quite agreed on that. But, by God, it is one of the major ports in the history of this country and doing a tremendous job in the economics of our country.

Of course, there is no more complicated transportation system in the entire Nation, or the world, for that matter, than there is in the State of California in moving peoples and goods throughout that State. I believe the economy of the State of California is about the 8th largest in the world, if I am not mistaken.

GLENN was elected to the 91st Congress in 1968. He is my senior here in the Congress by a few months. Prior to that he served as Lieutenant Governor of the State of California from 1959 to 1967; also, as a member of the California State Assembly from 1943 to 1951 and as mayor and city councilman from Hawthorne, CA, from 1940 to 1943.

As chairman of the Committee on Public Works and Transportation, GLENN did much to raise the visibility of the infrastructure as an important public policy issue here in our Nation. I might say, had it not been for really years of work in that field, carrying that message out throughout the Nation is what helped to build the understanding in the country of how critical infrastructure is, meaning the sinews that make a country run and the infrastructure that we speak to.

His committee legislative accomplishments over the years include the Surface Transportation and Uniform Relocation Assistance Act of 1987, the Water Resources Development Act of 1990, the Oil Pollution Liability and Compensation Act of 1990, the Clean Air Act Amendments of 1990, and the Airline Deregulation Act of 1978.

And I suppose, if you are speaking about GLENN or JOHN PAUL, the list could go on and on and on and on, really speaking to the history of the building of America.

He has been a great national leader in America and is recognized for his national leadership. He is a true friend, thoughtful, loyal, and will always enjoy the reputation as both a gentle man and a gentleman. We all wish him well on the occasion of his retirement, and I urge our colleagues here in the House to support this legislation unanimously as a fitting tribute to GLENN M. ANDERSON.

Mr. INHOFE. Mr. Chairman, I yield such time as he may consume to the distinguished ranking member of the Committee on Public Works and Transportation, the gentleman from Arkansas [Mr. HAMMERSCHMIDT].

Mr. HAMMERSCHMIDT. Mr. Speaker, I am extremely pleased to rise in support of H.R. 4438, which honors my good friend and the distinguished Chairman Emeritus of the Public Works and Transportation Committee, Congressman GLENN ANDERSON.

This bill would designate the Federal building in Long Beach, CA, as the "Glenn M. Anderson Federal Building." It is a most fitting tribute to a man who has compiled a remarkable record of service spanning half a century. I feel very fortunate to have served with GLENN during almost half of that period.

GLENN began his long career of public service in 1940, when he was elected mayor of Hawthorne, CA. Since that time, he has served in the California State Assembly, as Lieutenant Governor of California and in various other State and local leadership positions.

Since he came to Congress in 1969, GLENN and I have enjoyed a warm friendship and a close working relationship. He has always provided valuable insight and judgment, and he has made a tremendous contribution to the work of the Public Works and Transportation Committee during his service both as member and chairman.

No one has worked harder and with more dedication on public works related issues nor has anyone accomplished more for his State and his district than GLENN ANDERSON. He has served with great distinction and with tireless dedication to the needs of his constituents.

His devoted service to Long Beach is legendary, and it is, therefore, highly appropriate that Chairman GLENN ANDERSON be honored in this manner.

Mr. SAVAGE. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. MINETA].

Mr. MINETA. I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of H.R. 4438, legislation to designate the Federal building at 501 West Ocean Boulevard in Long Beach, CA, as the "Glenn M. Anderson Federal Building."

Mr. Speaker, this is an outstanding tribute to a man who has dedicated his entire life to public service.

GLENN ANDERSON is an American success story. He climbed the business ladder, rung by rung, beginning as a messenger. By the age of 27, he was already achieving amazing accomplishments. He started his political career as the mayor of Hawthorne, CA. His service as mayor was followed by a decade in the California State Assembly and a distinguished career as Lieutenant Governor of the State of California.

GLENN ANDERSON has served in the House of Representatives for a quarter

of a century. During that time, he has promoted our national infrastructure needs. He combined those efforts with a devotion to the unique needs of his home State of California.

Mr. Speaker, this is a fitting tribute and I urge my colleagues to support this legislation.

Mr. INHOFE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, I thank the gentleman for yielding this time to me, and I rise in strong support of H.R. 4438 to designate the Federal building at 501 West Ocean Boulevard in Long Beach, the Glenn M. Anderson Federal Building.

Let me note that that address happens to be within the bounds of my congressional district. But it is 1 block, just 1 block from GLENN ANDERSON'S congressional district.

Shortly after I was elected to Congress, GLENN ANDERSON was the first congressman that I paid a visit to. We agreed we would be working—GLENN was a lifelong Democrat, and I am a strong Republican—we agreed we would be working together and there would be no boundaries between our districts and that we would work together as a team to try to do our best for America.

I have never been disappointed, and I am very grateful for the guidance that GLENN has given me over the years.

I will dearly miss him as he leaves Congress now—but he will not be leaving our hearts as he leaves this hall.

GLENN is a legend in southern California. Indeed he has a lifetime of service. Some of you probably do not know—there was mention made that he was a messenger—but you may not know he was a banjo player in an all-girls vocal group—good luck for GLENN.

But where he really made his name as GLENN ANDERSON was when he was a motorcycle racer in southern California. He was a very famous motorcycle racer at age 19, I think. He raced all over southern California, skinning his knees as he turned those motorcycles around, preparing himself for the excitement here on the floor of Congress, I am sure.

In his early 20's he was a successful businessman. I am in my mid-40's, and I am yet to be a successful businessman. So I can certainly admire GLENN, who started out successful in his 20's. But he immediately saw public service as being his goal in life.

He was selected the youngest mayor in the country when he was elected mayor of Hawthorne. He went on to be elected to the California State Legislature, on to be the Lieutenant Governor in California, and in those positions he dedicated himself to education, water projects, and to transportation issues.

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He was elected to Congress in 1968 and has had a distinguished record as a

Member of Congress. And he has helped; yes, he has helped his local communities and we are very proud of GLENN, very grateful to GLENN, for what he has done for California.

And he has done a great deal for California, but we have not forgotten that the gentleman from California [Mr. ANDERSON] also has done a great deal for America and for other States as well.

GLENN is a much beloved person; he is a much beloved man in his local area. And we have not missed the fact that, although GLENN has been a banjo player, a motorcycle racer, a mayor, a member of the legislature, a lieutenant governor and a Member of Congress, GLENN has always been a patriotic American who cared a great deal for his country, as well as for his constituents, and we are very proud of GLENN in Long Beach.

Mr. Speaker, it is fitting, very fitting, that this building in my congressional district will be entitled the Glenn Anderson Federal Building because southern California will never forget GLENN ANDERSON and the wonderful things he has done throughout his career. I say to the gentleman from California, "Thank you very much, GLENN, and I salute you, and I support this legislation."

Mr. INHOFE. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. PACKARD].

Mr. PACKARD. Mr. Speaker, I have no prepared statement, so permit me to speak from my heart.

I certainly support the honor that is given to the gentleman from California [Mr. ANDERSON] by naming the Federal building in Long Beach after him.

GLENN and I have followed a little bit similar paths. We have served on bank boards, we have served as mayors, and I did not realize it was 40 years before I served as mayor, but we have experienced a lot of the same kinds of things, and it is only in the last 4, maybe 5, 6, years that I have really developed a deep love and friendship with GLENN ANDERSON. I think we have grown closer together in the last few years because, not only do we have a lot in common, but I certainly have admiration and love for him. Both of us, I think, have learned, and many here tonight on the floor, I think, have learned, about our former mayors: the gentleman from New Jersey [Mr. ROE], the gentleman from California [Mr. MINETA], the gentleman from Oklahoma [Mr. INHOFE], myself, and GLENN ANDERSON of course, and, Mr. Speaker, we all have learned that the purest form of government we have in this country is at the local level, and I believe we can all look back to when we served as mayors, that that was a time when we really felt we were close to the people and able to respond to their needs.

Mr. Speaker, that was the beginning of GLENN'S career, and it was kind of

my beginning, and perhaps that of many here.

I have learned to admire GLENN ANDERSON. This is not the first thing that has been named after GLENN ANDERSON. There are many things in the Long Beach area and in Los Angeles County. GLENN has made his mark in many ways and in many places. He has been honored and revered many times.

I first became acquainted with him because I did not get that much involved in State government until he became Lieutenant Governor, and that is when I saw GLENN ANDERSON emerge as one of the dynamic leaders of the State of California, and he has become, of course, a national leader in many areas. I revere and respect and love him for the work he has done. Anyone that serves his country as GLENN has, deserves the love and respect of his colleagues. That he has.

Mr. Speaker, I say to the gentleman from California [Mr. ANDERSON], "I pay tribute to you, GLENN, and I certainly support this legislation."

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

Mr. SHUSTER. Mr. Speaker, I would like to take this time to rise in full support for H.R. 4438, legislation to designate the Federal building at 501 West Ocean Boulevard in Long Beach, CA, as the Glenn M. Anderson Federal Building. This is a very fitting tribute to a man who has dedicated his life to improving the Long Beach-Los Angeles area.

GLENN ANDERSON was first elected to office, mayor of Hawthorne, California at the age of 27. Since that time he has been moving mountains for the good of southern California, the State and the country.

GLENN served in the California General Assembly, was elected lieutenant governor and in 1968, GLENN was elected to congress where he joined the Committee on Public Works and the Merchant Marine and Fisheries Committee. Even when moving to Washington GLENN never lost site of the district that elected him.

GLENN served as chairman of the Subcommittee on Surface Transportation from 1981 to 1988 before he became chairman of the full committee. During these years on the committee, he has always been a very active member and he has much to show for his efforts.

The ports of Los Angeles and Long Beach are the busiest in the Nation with much thanks to be given to GLENN ANDERSON. He added the Harbor Freeway to the interstate system, obtained funding for the Los Angeles Metro Rail, he added funding for the dredging of the ports of Los Angeles and Long Beach and he added the very important surface infrastructure to allow swift movement of commodities from the ports. GLENN has also played a leading role in the revitalization of downtown Long Beach by providing the necessary infrastructure improvements and also by obtaining the funding for the Federal building being named for him today.

GLENN is also very proud of Interstate 105, now known as the Glenn Anderson Freeway. This eight lane super highway includes HOV

lanes and light rail lines, a truly intermodal project.

We in Congress have a lot to be thankful for, having the pleasure of working with GLENN ANDERSON. The people of southern California have a lot to be thankful for the hard work of their Congressman.

Mr. Speaker, I support this bill wholeheartedly, I can think of no Member more deserving of this tribute than GLENN ANDERSON.

Mr. SAVAGE. Mr. Speaker, I urge adoption of H.R. 4438, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. VALENTINE). The question is on the motion offered by the gentleman from Illinois [Mr. Savage] that the House suspend the rules and pass the bill, H.R. 4438.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

#### ROBERT A. GRANT FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. SAVAGE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5222) to designate the Federal building and U.S. courthouse located at 204 South Main Street in South Bend, IN, as the "Robert A. Grant Federal Building and United States Courthouse".

The Clerk read as follows:

H.R. 5222

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION

The Federal building and United States courthouse located at 204 South Main Street in South Bend, Indiana, is designated as the "Robert A. Grant Federal Building and United States Courthouse".

#### SEC. 2. LEGAL REFERENCES.

Any reference in any law, regulation, document, record, map, or other paper of the United States to the Federal building and courthouse referred to in section 1 is deemed to be a reference to the "Robert A. Grant Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. SAVAGE] will be recognized for 20 minutes, and the gentleman from Oklahoma [Mr. INHOFE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. SAVAGE].

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

Mr. Speaker, H.R. 5222 is a bill to designate the Federal building and U.S. courthouse located at 204 South Main Street in South Bend, IN, as the "Robert A. Grant Federal Building and United States Courthouse."

Judge Robert Allen Grant enjoys a long and distinguished career as an attorney and public servant. He is a former Congressman, who represented the third district of Indiana from January 1939 to January 1949.

In 1957, President Eisenhower appointed Robert A. Grant to the U.S. District Court in the northern division of Indiana.

As judge, he was instrumental in developing the Aikens versus Lash decision which established minimal due process requirements for prisoner transfers.

Judge Grant has been involved in many civil and educational endeavors, serving as a trustee of the University of Indianapolis, as a member of the National Council of Boy Scouts, and as a member of the St. Joseph County and American Bar Associations.

H.R. 5222 is a fitting tribute to this dedicated public servant.

I urge its adoption.

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

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

Mr. Speaker, Robert Allan Grant was born in Marshall County, IN, July 31, 1905. He grew up in Hamlet and South Bend, IN, and attended college and law school at the University of Notre Dame.

He was admitted to the Indiana bar in 1930 and began his general practice with Pyle & Voor in South Bend. From 1935 to 1936 he served as deputy prosecuting attorney for St. Joseph County. He was elected to the 76th Congress and served in Congress for 10 years.

In 1957, President Dwight D. Eisenhower appointed him to the U.S. District Court for the Northern District of Indiana. From 1961 to 1972 he served as chief judge. Since taking senior status in 1972, he continues to maintain an active docket and has served 12 terms on the U.S. District Court of Puerto Rico. In addition, in 1976 then Chief Justice Warren E. Burger appointed him to the temporary Emergency Court of the Appeals of the United States. Judge Grant has also been actively involved in civic organizations such as Rotary Club and Boy Scouts.

I fully support H.R. 5222 and urge my colleagues to do the same.

Mr. SAVAGE. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. ROEMER] who has so quickly distinguished himself in this body.

Mr. ROEMER. Mr. Speaker, I would, first of all, like to start off by thanking the distinguished chairman and the distinguished ranking minority mem-

ber and their fine staffs for expediting this consideration. I testified in May, and this is now before the full House on the floor, and again my thanks to the gentleman from Illinois [Mr. SAVAGE] and the gentleman from Oklahoma [Mr. INHOFE] as well.

Mr. Speaker, it is my distinct privilege today to speak in support of the legislation I introduced to designate the Federal offices in South Bend, IN, as the Judge Robert A. Grant Federal Building and United States Courthouse.

□ 2010

These Federal offices are in the heart of South Bend and are in many ways symbolic of the heart of South Bend. This building is nestled between our public library, an historic courthouse, and a legendary family baker. I interned in this office for former Congressman John Brademus.

As these buildings are often foundations of justice, Judge Grant is a fighter for justice. In addition to his stellar career on the Federal bench, as has been mentioned by both distinguished Members beforehand, Judge Grant has a long and distinguished career as an attorney and public servant.

Born in Marshall County, IN, in 1905, he earned a bachelor's degree and law degree from the University of Notre Dame.

After beginning his practice of law in South Bend in 1930, he served as deputy prosecuting attorney of St. Joseph County in 1935 and 1936. In 1938 he made a successful bid for Congress and served the people of the Third Congressional District of Indiana during the 76th and four subsequent Congresses. I now have the honor of representing this district.

On August 26, 1957, Judge Grant was appointed to the U.S. District Court in the Northern Division of Indiana by President Eisenhower. He was chief judge of this court from 1961 until 1972, and has served as senior judge since 1972. He is one of only a small number of judges who have served under article III of the Constitution for such a long tenure. Today, almost 35 years after he took the oath of office, Judge Grant retains senior status, maintaining an active docket on the court.

Judge Grant is a longtime friend of our community. When we went around the third District of Indiana asking his colleagues about what qualifications he had for this courthouse to be named after him, a long-term friend said, "It is a tribute to a man who certainly deserves the tribute." He has a colleague such as Judge Alan Sharp, the current chief judge for the Northern Indiana District, who has suggested that his diligence and hard work have been the hallmark of his career, as is illustrated by the fact that Judge Grant continues to work every day.

Beyond his professional legal and judicial pursuits, Judge Grant has lived a

life of community and civic involvement. Over the years, many local organizations, including the State and local bar associations, Rotary Club, and Boy Scouts of America have benefited from his energy and commitment.

As a demonstration of the high regard in which Judge Grant is held, every Member of Indiana's Congressional delegation joined me in introducing H.R. 5222. The legislation recognizes the commitment and service of Judge Robert A. Grant to the State of Indiana, the Nation, and our legal system. I can think of no finer tribute than naming South Bend's Federal courthouse after this most distinguished jurist, lawyer, and civic leader.

Mr. INHOFE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Arkansas [Mr. HAMMERSCHMIDT], the ranking member on the Committee on Public Works and Transportation.

Mr. HAMMERSCHMIDT. Mr. Speaker, H.R. 5222 designates the Federal building and U.S. courthouse located in South Bend, IN, as the "Robert A. Grant Federal Building and U.S. Courthouse."

Robert A. Grant, a distinguished jurist and a former Member of this body, began his public service as deputy prosecuting attorney of St. Joseph County in 1935. In 1938 he was elected to the U.S. House of Representatives and served the people of the Third Congressional District of Indiana for 10 years.

In 1957, President Eisenhower appointed Robert A. Grant to the U.S. district in the northern division of Indiana. Judge Grant's nearly 35-year tenure on the Federal bench has resulted in many notable decisions, including Aikens versus Lash, in which minimal due process requirements for the transfer of State inmates between prisons was established.

His service to the South Bend community has been extensive and has included involvement with many local organizations, including the State and local bar associations, Rotary Club, and Boy Scouts of America.

Given Judge Grant's long history of service to the people of South Bend, it is appropriate that we honor him in this way, and thus I urge my colleagues to support H.R. 5222.

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

Mr. SAVAGE. Mr. Speaker, I urge adoption of H.R. 5222, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. VALENTINE). The question is on the motion offered by the gentleman from Illinois [Mr. SAVAGE] that the House suspend the rules and pass the bill, H.R. 5222.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SAVAGE. 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 H.R. 5222, the bill just passed.

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

There was no objection.

#### PARTIAL RESTORATION OF HIGHWAY FUNDING

Mr. ROE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2641) to partially restore obligation authority authorized in the Intermodal Surface Transportation Efficiency Act of 1992.

The Clerk read as follows:

S. 2641

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION. 1. RESTORATION OF OBLIGATIONAL AUTHORITY.

(a) IN GENERAL.—\$369,000,000 of the reduction in obligation authority for fiscal year 1992 required by section 1004 of the Intermodal Surface Transportation Efficiency Act of 1991 is restored for programs subject to the obligation ceiling.

(b) CLARIFICATION.—Section 1095 of the Intermodal Surface Transportation Efficiency Act of 1991 is amended in the first sentence by inserting “, subject to appropriations,” after “is authorized”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. ROE] will be recognized for 20 minutes, and the gentleman from Arkansas [Mr. HAMMERSCHMIDT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. ROE].

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

Mr. Speaker, on December 18, 1991, the Intermodal Surface Transportation Efficiency Act of 1991, commonly known as ISTEA, was signed into law. That landmark legislation was developed and passed by a strong, bipartisan majority of this Congress to invest in our Nation's future and to help meet the transportation needs of the next century. In doing so, ISTEA authorized necessary improvements to our crumbling infrastructure and vital public facilities in order to provide the foundation for our industry to compete in the global economy of the 21st century and to create jobs for Americans needed to stimulate our Nation's economy and to do so immediately.

Included in the ISTEA legislation was a provision, added in conference, relating to the construction of a Fed-

eral courthouse in Brooklyn, NY. Under the provisions, the General Services Administration is authorized to enter into a lease with the U.S. Postal Service for space to house the Federal courts and related Federal agencies in Brooklyn. In addition, GSA is authorized to expedite the start of construction of the building and to transfer the present Emanuel Celler Federal Building and Courthouse in Brooklyn to the Postal Services.

It was the intent of the conferees that any funding to carry out this provision be in the form of an authorization subject to appropriations. As such, it would not constitute, contract authority or direct spending. However, when OMB scored the bill, it determined that the provision provided direct spending and thus scored the cost of the entire courthouse project against the surface transportation bill.

As a result, millions of dollars could and should have been available to implement the ISTEA legislation to develop a national intermodal surface transportation system, construct highways, support highway safety and mass transit programs and create much-needed jobs.

Last month's unemployment figures as we know, were absolutely devastating: A national unemployment rate of 7.8 percent, California 9.5 percent, New Jersey 9.2 percent, New York 9.2 percent, Massachusetts 8.8 percent, Michigan 8.8 percent, Illinois 8.6 percent and Texas 8.2 percent, just to name a few of the States suffering this unemployment situation. We know that each dollar invested in the infrastructure pays back multiple returns to the economy.

Subsequent to enactment of ISTEA, the Congressional Budget Office and the Office of Management and Budget have determined a restoration of funds would be covered by the pay-as-you-go requirements of the Omnibus Budget Reconciliation Act of 1990, and that \$369 million is the maximum amount of highway obligation authority that can be restored by repealing the direct spending for the Brooklyn courthouse without causing a pay-as-you-go sequester.

The House should act now to correct this technical error and to reflect what was the original intent of the ISTEA conferees. On April 30, 1992, the Senate passed S. 2641 by unanimous consent. This bill which we are proposing to pass today without change would restore \$369 million and would not cause budget problems.

When the ISTEA passed last year by a majority of 372 to 47, this body showed its overwhelming bipartisan commitment to expanding our Nation's economy through infrastructure investment and the creation of American jobs. To follow through on this commitment and give meaning to the goals of the legislation, it is critical, Mr.

Speaker, that we pass S. 2641. I strongly support the bill. Again, it simply corrects a technical drafting error and reflects the original intent of Congress. I urge support for its passage.

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

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

Mr. Speaker, I rise in strong support of S. 2641. This bill, very simply, does two things. First, it makes the authority to lease space for the Brooklyn courthouse, which was enacted in the Intermodal Surface Transportation Efficiency Act of 1991, subject to the appropriations process. And, in doing so, it frees up \$369 million in obligation authority for the highway program for fiscal year 1992.

Ever since the enactment of ISTEA last year, we have been all too aware of the Brooklyn courthouse. This was a last-minute provision inserted in the bill that was claimed to be merely an authorization, but was in fact read to be mandatory spending of \$457 million in fiscal year 1992. In accordance with the budget compliance provisions that we put into ISTEA, this mandatory spending resulted in reductions in obligations for the highway program.

But the problem became much bigger than the \$457 million cost of the courthouse. Because of the different rates of outlays for Federal building projects and highway projects, the courthouse provision required a reduction of \$998 million in the highway program in order to keep us within the strict requirements of the Budget Act.

The effect of this provision was not to reduce the amount of budget authority we provided in ISTEA, but rather to limit the amount of each State's apportionment that could be obligated.

OMB and CBO have agreed that—at this point in time—\$369 million is the most that can be restored to the program without causing a deficit on the pay-go scorecard. I want to emphasize that this restoration of funds will not result in any sequestration. It is my understanding that the administration is strongly supportive of this bill.

What S. 2641 will provide to Arkansas is authority to obligate an additional \$3.6 million of funds already apportioned to Arkansas for fiscal year 1992. Every State in the Nation will similarly receive a proportional increase in spending authority for highways. This will result in an increase in jobs and infrastructure improvements across the country.

It is crucial that we pass this bill now and send it on to the President for his signature in order to give the States sufficient time to obligate these funds before the end of the fiscal year.

I urge all members to support this bill.

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

Mr. ROE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. MINETA], chairman of our Subcommittee on Surface Transportation.

Mr. MINETA. Mr. Speaker, I thank our very distinguished chairman of the full Committee on Public Works and Transportation for yielding time to me.

Mr. Speaker, last year, the Congress passed the Intermodal Surface Transportation Efficiency Act of 1991—or as we now call it, ISTEA. This legislation promises to lay the groundwork for an innovative and effective transportation network as the United States enters the 21st century.

The ISTEA legislation is a genuine new transportation policy for America, and a tremendous investment in our future. It will build our roads and bridges and transit systems into a comprehensive network that will in turn build our economy, enhance safety, and improve our quality of life. The ISTEA legislation is expected to create up to 4 million jobs.

The ISTEA legislation included a provision, added during the House-Senate conference, relating to the construction of a Federal courthouse in Brooklyn, NY. This provision authorized the General Services Administration [GSA] to enter into a lease agreement with the U.S. Postal Service for space to house the Federal courts and related agencies in Brooklyn.

Senator MOYNIHAN, the author of this provision, has stated that his intention was to authorize the project in ISTEA and then seek an appropriation in the coming year, thus making this provision a no-cost authorization.

However, the Office of Management and Budget [OMB] unexpectedly scored the entire cost of the courthouse against the surface transportation bill. Complicating the problem, OMB scored the courthouse project at \$998 million; over \$500 million more than the projected costs of the project.

The House must now act on S. 2641, legislation passed by the other body to restore these critical transportation funds.

In my home State of California alone, this amendment will restore \$34,453,340 in Federal highway/transit funds this year.

We must reject this smoke-and-mirror bookkeeping by the Bush administration. For too long, transportation funding has been neglected or, what is worse, used as a Swiss bank account to be raided at will for other purposes.

This is certainly not the way Americans do business, and certainly not the way to rebuild our transportation systems and put Americans to work throughout the country.

It is now absolutely essential that America do more than reverse the col-

lapse of our annual transportation investment from 2.3 percent of our gross national product in the 1960's and 1970's to four-tenths of 1 percent from the 1980's to this very day.

The only way our transportation network will truly improve in the years ahead is if we put our increasingly scarce Federal dollars where the needs are today, and where they must be in the future.

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

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

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

The SPEAKER pro tempore (Mr. VALENTINE). The question is on the motion offered by the gentleman from New Jersey [Mr. ROE] that the House suspend the rules and pass the Senate bill, S. 2641.

The question was taken and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. ROE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the Senate bill just passed.

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

There was no objection.

#### AUTHORIZING ESTABLISHMENT OF JAPANESE-AMERICAN PATRIOTISM MEMORIAL

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 271) authorizing the Go For Broke National Veterans Association to establish a memorial to Japanese-American veterans in the District of Columbia or its environs, as amended.

The Clerk read as follows:

H.J. RES. 271

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. AUTHORITY TO ESTABLISH MEMORIAL.

(a) IN GENERAL. The Go For Broke National Veterans Association Foundation is authorized to establish a memorial on Federal land in the District of Columbia or its environs to honor Japanese American patriotism in World War II.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The establishment of the memorial shall be in accordance with the Act entitled "An Act to provide standards for placement of commemorative works on certain Federal lands in the District of Co-

lumbia and its environs, and for other purposes" approved November 14, 1986 (40 U.S.C. 1001, et seq.).

#### SEC. 2. PAYMENT OF EXPENSES.

The Go For Broke National Veterans Association Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial. No Federal funds may be used to pay any expense of the establishment of the memorial.

#### SEC. 3. DEPOSIT OF EXCESS FUNDS.

If, upon payment of all expenses of the establishment of the memorial (including the maintenance and preservation amount provided for in section 8(b) of the Act referred to in section 1(b)), or upon expiration of the authority for the memorial under section 10(b) of that Act, there remains a balance of funds received for the establishment of the memorial, the Go For Broke National Veterans Association Foundation shall transmit the amount of the balance to the Secretary of the Treasury for deposit in the account provided for in section 8(b)(1) of that Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri [Mr. CLAY] will be recognized for 20 minutes, and the gentleman from Nebraska [Mr. BARRETT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

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

Mr. Speaker, I rise in support of House Joint Resolution 271, which authorizes the Go For Broke National Veterans Association Foundation to establish a memorial to Japanese-American patriotism during World War II, in the District of Columbia or its environs. The Go For Broke National Veterans Association Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the memorial. No Federal funds may be used to pay any expense of the establishment of the memorial.

From 1942 to 1945, the U.S. Government imprisoned over 120,000 Japanese-American civilians in so-called relocation camps. They were accused of no crime, other than their Japanese heritage. These Americans bore indignities that no one with forebears from any other Axis nation endured. Forcing them to abandon their lives and possessions, our Government exiled children and the aged to the farthest reaches of America, where they would spend the war in concentration camps as prisoners of war.

Yet, despite these injustices, 33,000 Japanese-Americans chose to fight in World War II. These men and women served under circumstances that would try any human being, in a manner that would distinguish any soldier. In fighting units that won more decorations for their size than any other unit, and in quiet intelligence offices cracking the secrets of Japan, they fought from Italy to the Pacific to preserve the

freedoms that were denied their families, and those families kept their faith in America. Even from behind prison walls, they cheered their sons and daughters on to victory.

In the Civil Liberties Act of 1988, Congress apologized to Japanese-Americans for what it termed the "racial prejudice, wartime hysteria, and a failure of political leadership" that produced the violations of their civil rights during World War II. In doing so, it closed a chapter of hypocrisy in American history, and—we hope—opened one of greater reflection. It is time to tell this tale of moral defeat in martial victory, and of the spiritual victory which sprang from that defeat.

Mr. Speaker, I commend my colleague from California, Mr. MINETA, for introducing this bill. The Subcommittee on Libraries and Memorials and the full House Administration Committee have evaluated this legislation, and we have voted unanimously to favorably report this legislation before this body today. I urge my colleagues to support and adopt House Joint Resolution 271.

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

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

Mr. Speaker, I simply want to thank the distinguished Libraries and Memorials Chairman, Mr. CLAY, for his work on this legislation. I feel that he has more than adequately explained the purpose of this legislation today. I support the measure and ask my colleagues to support it as well.

Mr. Speaker, I have no other requests for time, and inasmuch as this is apparently the last suspension of the day, I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, I would first like to express my sincere thanks to the gentleman from Missouri [Mr. CLAY] and the gentleman from Nebraska [Mr. BARRETT] for bringing this bill to the floor this evening.

Their leadership, and the fine work of their staffs, have made it possible to bring this resolution to the floor, and brings us a step closer to making this memorial a reality.

I would also like to thank Cora Foley of my staff for her outstanding work and dedication to this legislation.

Mr. Speaker, House Joint Resolution 271 will authorize the Go For Broke National Veterans Foundation to establish a memorial here in the District of Columbia. That memorial will commemorate for the Nation the patriotism of Americans of Japanese ancestry during World War II.

This memorial proposal has been reviewed by the National Capital Memorial Commission and, as amended by the Committee on House Administration, has received their unanimous endorsement.

As required by the Commemorative Works Act, no Federal funds will be expended to establish the memorial, which will be paid for by private donations to the Go For Broke National Veterans Association Foundation.

Mr. Speaker, this memorial was a long-time dream of a great and loyal American, Mike Masaoka.

Mike was a central figure in the struggle for justice for Americans of Japanese ancestry, and for all Americans. Sadly, he passed away last year.

As a friend and mentor, Mike had no equal. Mike was the husband of my sister, Etsu, and I was proud to call him a member of my family.

Mike was a leader of the Japanese-American community throughout his adult life, but his leadership was never so crucial as it was during one of the darkest times in our history.

When the Empire of Japan attacked Pearl Harbor on December 7, 1941, the U.S. Government responded with a tragic and historic injustice.

On February 17, 1942, President Franklin Roosevelt signed Executive Order 9066, which authorized the evacuation of more than 120,000 Americans of Japanese ancestry from the west coast.

We lost our homes and our businesses, and were forced into internment camps scattered throughout the interior of the country.

We were not a threat to the United States. We had committed no crimes. We fell under suspicion simply because, by accident of birth, we happened to be of Japanese ancestry.

Despite this denial of our most basic rights under the Constitution, Mike pushed hard to be allowed to join in the defense of this country. Tens of thousands of other Japanese Americans joined him.

The all-Nisei 100th Infantry Battalion and 442 Regimental Combat Team fought in the European Theater, becoming the most decorated unit of its size in U.S. military history.

Their motto was "Go For Broke", a designation they earned at the cost of many lives. By the war's end, they had earned 7 Presidential Unit Citations, 36 Army commendations and 87 division commendations.

The men of the 100th and 442d were awarded 18,143 individual decorations: 9,486 Purple Hearts, 52 Distinguished Service Crosses, 4,000 Bronze Stars, 560 Silver Stars, and 1 Medal of Honor.

Less well-known because most of their contributions were classified during World War II, thousands of Japanese-Americans served in the Military Intelligence Service as translators and intelligence operatives.

General Willoughby, General MacArthur's chief of intelligence, estimated that their contributions had shortened the war in the Pacific by 2 years.

Here at home, Japanese-Americans worked to teach Japanese to United

States military and intelligence personnel.

I am proud to say that one of those teachers was my father, Kunisaku Mineta. He taught Japanese to United States Army personnel under the Army specialized training program at the University of Chicago.

Like every American family, Japanese-Americans suffered the loss of those they sent to war who did not return.

There was no more bitter irony of the war than the sight of Japanese-American families, imprisoned behind barbed wire, accepting posthumous medals for men who had given their lives fighting for liberty and justice.

But we had an abiding belief in the principles of this country, and we were sustained by a faith that one day our Nation would recognize the injustice of the internment.

That day finally came 47 years after the internment began, when the 100th Congress approved the Civil Liberties Act of 1988. That legislation, signed into law by President Ronald Reagan, officially apologized for the internment and extended the promise of redress to the surviving internees.

That historic Act contains these words:

(T)he Congress recognizes that, as described by the Commission on Wartime Relocation and Internment of Civilians, a grave injustice was done to both citizens and permanent resident aliens of Japanese ancestry by the evacuation, relocation, and internment of civilians during World War II \* \* \*

The excluded individuals of Japanese ancestry suffered enormous damages both material and intangible, and there were incalculable losses in education and job training, all of which resulted in significant human suffering for which appropriate compensation has not been made.

For these fundamental violations of the basic civil liberties and constitutional rights of those individuals of Japanese ancestry, the Congress apologizes on behalf of the Nation.

Mr. Speaker, those words became a part of Federal law with President Reagan's signature. But one of the proudest moments of my life was on the day I sat in the chair as this House voted to approve them. That day was September 17, 1987, the 200th anniversary of our Constitution.

Mr. Speaker, this memorial will commemorate the story of Japanese-American patriotism during the Second World War. But that story is not ours alone.

It will be a symbol to every American, and to the world, that our Constitution is a living, breathing document.

It will remind all of us that Americans are not defined by the color of our skin, or the national origins of our ancestors, but by a dedication to our shared ideals and principles of justice and equality.

It will be a shining example that, with faith in those principles, it is

never too late for wrongs to be righted or justice to be done.

And it will be a living testament to our commitment as a nation that we will never allow such a gross violation of constitutional rights to occur again.

A half century ago, the Japanese-American Creed was written by Mike Masaoka. He wrote it in the spring of 1941 and it was entered into the CONGRESSIONAL RECORD at that time.

It states, in part:

Although some individuals may discriminate against me, I shall never become bitter or lose faith, for I know that such persons are not representative of the majority of the American people. True, I shall do all in my power to discourage such practices, but I shall do it in the American way: Aboveboard, in the open, through courts of law, by education, by proving myself to be worthy of equal treatment and consideration.

I am firm in my belief that American sportsmanship and attitude of fair play will judge citizenship and patriotism on the basis of action and achievement, and not on the basis of physical characteristics.

Because I believe in America, and I trust she believes in me, and because I have received innumerable benefits from her, I pledge myself to do honor to her at all times and in all places; to support her Constitution; to obey her laws; to respect her flag; to defend her against all enemies, foreign and domestic; to actively assume my duties and obligations as a citizen, cheerfully and without any reservations whatsoever, in the hope that I may become a better American in a greater America.

It is that spirit, Mr. Speaker—tempered in the fires of discrimination here at home, and in the fires of battle abroad—which this memorial will commemorate.

I urge my colleagues to join me in approving the resolution.

Mr. Speaker, I thank very much the members of the committee for the leadership that they have shown in bringing this resolution to the floor.

Mr. ABERCROMBIE. Mr. Speaker, as an original cosponsor of House Joint Resolution 271, I am extremely pleased that House had the opportunity to adopt this resolution. Mr. MINETA, the principal sponsor, worked long and hard on moving this measure forward and deserves our thanks for his efforts, as do other Members of this House who have also made their contributions.

As you know, House Joint Resolution 271 authorizes the Go For Broke National Veterans Association to establish a memorial to Japanese-American veterans in the District of Columbia or its environs. A notable feature of this measure is that it does not, repeat not, involve the expenditure of Federal funds.

Such a memorial is long overdue. We raise memorials of the type we see throughout the Nation's Capital in order to remind ourselves and future generations of important events, individuals and ideas which have shaped American history. These monuments are, in effect, three dimensional textbooks recounting the history of our Nation from its earliest days through the present century. These textbooks are read by millions of visitors to Washington, DC, every year. They are every bit as vital to the education and inspiration of the American

people as the information they receive from classroom instruction, the news media, and avocational reading.

The Japanese-American veterans memorial will fill in a missing chapter in American history, a chapter all too often ignored in standard accounts of our Nation's past. It is a chapter marked by tragedy and heroism, patriotism and sacrifice, history, and misunderstanding—the full range of elements that comprise history as it is actually lived by real human beings.

This memorial will open new perspectives to those who stand in its presence. It will evoke the shameful story of the unjustified incarceration of Japanese-Americans in World War II. It will present the image of soldiers like those of the 100th Infantry Battalion and the 442d Regimental Combat Team who fought with such remarkable distinction in the European theater. It will stand for the less highly publicized but just as valuable contributions of the soldiers of the Military Intelligence Service who performed vital intelligence and translation services in the Pacific theater.

It is my hope that those who pause before this memorial will commemorate the sacrifices of the hundreds of Japanese-Americans who gave their lives for our Nation. It is my hope, too, that it will convey the double burden under which they served their country—the dangers of the battlefield and the unjust suspicions of their fellow Americans. And hopefully, Mr. Speaker, this memorial will contribute to an appreciation that Americanism is not a matter of ethnicity but of commitment to the principles of democracy, equality, and justice—a commitment demonstrated in full measure by the men and women honored by this monument.

Mrs. MINK. Mr. Speaker, I urge my colleagues to support House Joint Resolution 271, a bill which authorizes the establishment of a memorial in or near the District of Columbia to honor Japanese-American patriotism in World War II.

The establishment of a memorial to honor Japanese-American patriotism in World War II will serve as a reminder that a dark and aberrant chapter in this Nation's history cannot be forgotten.

In addition to honoring the men, women, and children of Japanese ancestry who remained steadfastly devoted to their country in the face of racial prejudice, wartime hysteria, and a hostile government, the memorial is also intended to celebrate the basic strength and decency of our system of government which can recognize, and atone for, past injustices.

Americans of Japanese ancestry became the underserving targets of racial prejudice and scapegoating in the weeks and months following the Japanese attack on Pearl Harbor on December 7, 1941. The U.S. Government sanctioned this antagonism toward persons of Japanese ancestry via two measures: Executive Order 9066, issued by President Franklin D. Roosevelt on February 19, 1942, and Public Law 77-503 passed by the U.S. Congress on March 21, 1942.

Executive Order 9066 and Public Law 77-503 authorized the forcible relocation of 120,000 persons of Japanese ancestry from their homes along the west coast to intern-

ment camps located in desolate areas of the country. Relocation forced many persons to sacrifice fine careers or sell possessions, including real estate, at fire sale prices.

In spite of additional restrictions upon the rights of Japanese-Americans, such as the War Department's June 1942 decision to halt the induction of Japanese-Americans into the U.S. Armed Forces, thousands of Japanese-Americans volunteered for military service. In the face of this eloquent demonstration of patriotism, the War Department dismantled its racially exclusionary policy by first recruiting Japanese-Americans to teach the Japanese language to intelligence officers in the fall of 1942, and then by having the Army establish an all-volunteer, all-Japanese American regimental combat team in 1943. This all-Nisei combat team, known as the 442d Regimental Combat Team, distinguished itself during the course of World War II and has earned an honored place in the history of the U.S. Armed Forces.

While the heroism and patriotism of the American men and women of Japanese ancestry who served during World War II have been amply documented, the persistent support of and devotion to the United States of the Japanese-American civilians who remained in the internment camps must not be overlooked.

Four decades after the issuance of Executive Order 9066 and passage of Public Law 77-503, the U.S. Government formally apologized for its role in forcibly displacing Japanese-Americans during World War II. In enacting Public Law 100-383, the Civil Liberties Act of 1988, the United States Government also apologized for questioning the patriotism of its citizens of Japanese ancestry during the Second World War and recognized that its actions had been motivated by a combination of racial prejudice, wartime hysteria, and a failure of political leadership.

Let us honor those Americans of Japanese ancestry who remained devoted to the United States at a time when the Government proved less-than-devoted to ensuring their rights. Let us also honor a Nation great enough to recognize its mistakes and resolve not to repeat them.

Please support House Joint Resolution 271.

Mr. MATSUI. Mr. Speaker, I rise in support of House Joint Resolution 271 which authorizes the Go For Broke National Veterans Association Foundation to establish a memorial in the Washington, DC area to Japanese-American patriotism in World War II.

We are all familiar with the indignities suffered by over 115,000 Japanese-Americans who were forced from their homes and businesses to internment camps throughout the country during World War II. Even prior to the issuance of Executive Order 9066, ordering the relocation of Japanese-Americans, racial prejudices pervaded the daily lives of Japanese-Americans merely because of their ancestry. It is ironic that the U.S. incarcerated citizens in internment camps in much the same way that Adolf Hitler marched across the European continent feeding on racial hatred to fuel his war machine.

This memorial is in part a symbol for this sad chapter in American history, however it plays a much more important role recognizing

the patriotism of Japanese-Americans during World War II. It is not widely known that over 33,000 men and women of Japanese ancestry, despite their personal sufferings at the hands of the U.S. Government, served in the U.S. Armed Forces and were steadfast in their patriotic support of the United States and Allied war effort in World War II. This included the all-Nisei 100th/442d regimental combat team which came out of the war as the most decorated unit for size and length of service. Also, it included the invaluable contributions of 6,000 Nisei men and women who served in the Pacific theater, mostly in military intelligence. In fact, without their aid in this sensitive and dangerous field, our victory in the Pacific might not have been so swift or complete.

The memorial is an appropriate reminder of the human suffering experienced by Japanese-Americans forced to relocate to internment camps during World War II and the selfless loyalty these same individuals gave to the Allied War effort in both the European and Pacific theaters during World War II. I urge my colleagues to support passage of House Joint Resolution 271.

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

The SPEAKER pro tempore (Mr. VALENTINE). The question is on the motion offered by the gentleman from Missouri [Mr. CLAY] that the House suspend the rules and pass the joint resolution, House Joint Resolution 271, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution, as amended, was passed.

The title of the joint resolution was amended so as to read: "Joint resolution authorizing the Go For Broke National Veterans Association Foundation to establish a memorial in the District of Columbia or its environs to honor Japanese American patriotism in World War II."

A motion to reconsider was laid on the table.

□ 2040

#### GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 271, the joint resolution just passed.

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

There was no objection.

#### THE HEALTH FREEDOM ACT OF 1992

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. GALLEGLY] is recognized for 5 minutes.

Mr. GALLEGLY. Mr. Speaker, I am pleased to introduce today the Health Freedom Act of 1992, a bill designed to protect the consumers of dietary supplements from unnecessary Federal regulation. An identical bill, S. 2835, has already been introduced in the other Chamber by Senator ORRIN HATCH of Utah, ranking member of the Senate Labor and Human Resources Committee.

There is growing evidence backed up by extensive research that dietary supplements can promote health and prevent certain diseases, especially among certain users. Judging by the amount of mail I have been receiving from constituents, primarily health-conscious consumers, there is widespread concern that the Government seeks to regulate dietary supplements so that they will no longer be readily available to those who wish to purchase them. Many people are upset with both Congress and the Food and Drug Administration because they perceive a Government threat to remove from the market beneficial vitamins, minerals, herbs and other food substances that they wish to use to supplement their regular diet.

Most of us are familiar with the endorsement by scientist Linus Pauling of the salutary effects of ingesting vitamin C tablets and claims by nutritionists and other experts for the health-producing properties of various multivitamins and capsules containing herbs or fish oil or other natural substances. Regardless of what we personally feel about such products, in a free society consumers should be able to purchase any food they want, so long as that product is safe and the labeling and advertising claims about it are truthful and not misleading and there is reasonable scientific evidence to support such claims.

I have no doubt that there are some Members of this body and bureaucrats at the FDA who believe they know best what foods are good for us and would like to make it as difficult as possible for people to consume dietary supplements that they disapprove of. As a consequence, while the FDA allows people to eat conventional food products that may be high in calories, cholesterol, saturated fat, caffeine, or sodium, or that lack important vitamins or minerals, the agency has raised objections over and has tried to impose unreasonably regulatory burdens on safe dietary supplements of food substances that many consumers want and many health professionals recommend. This legislation would remove any threat of such unnecessary and unwise regulations.

First, this bill provides a definition of dietary supplements that includes and is intended to supplement the diet with a vitamin, a mineral, an herb, or another similar nutritional substance, including a concentrate or an extract of such a substance.

Second, the bill make clear that a dietary supplement shall not be considered a drug solely because of the potency of a substance in that supplement. This provision extends to all dietary supplements the principle embodied in the so-called Proxmire amendments—section 411 of the FDC Act—as applied to vitamins and minerals, namely, that the FDA may not classify a food substance as a drug merely because it exceeds the level of potency that the FDA believes is nutritionally rational or

useful (see 21 U.S.C. 305(a)(1)(b)). The bill also provides that a dietary supplement shall not be deemed a drug solely because the labeling or advertising for the supplement provides information about the potency of a substance in that supplement. In addition, a dietary supplement is not to be considered a drug solely because the labeling or advertising for the supplement contains a health claim of the type permitted under the law.

The bill states that a food substance provided by a dietary supplement is not subject to FDA regulation as a food additive, provided that the substance is identified in the labeling as being provided by the product to supplement the diet. I do not think that the FDA should impose food additive requirements to prevent consumers from obtaining safe vitamins, minerals, herbs, oils or other similar substances that they knowingly wish to add to their diets through the consumption of dietary supplements. Just look at how the FDA has treated chromium as an unapproved food additive and thus illegal when added to dietary supplements even though chromium is an essential mineral frequently found in dietary supplement products such as One-A-Day, Centrum, and Geritol that is safe and is not optimally present in the diets of many Americans.

The Health Freedom Act of 1992 provides that labeling or advertising about dietary supplements many include claims or other information about the relationship of the supplement, or of one or more of the substances provided by the supplement, or of the absence of one or more of these substances, to a disease or health-related condition, provided that such claims or information are truthful and not misleading and there is scientific evidence, whether published or unpublished, that provides a reasonable basis for such claims or other information. Dietary supplements must be marketed in such a way that consumers can be readily informed of their health and disease-prevention benefits. There must be flexibility so that the health-conscious public can keep abreast with scientific advances that show that long-term disease prevention is linked to improved dietary supplementation.

Provided that the information is truthful and not misleading and there is a reasonable scientific basis for such information, manufacturers of dietary supplements should be permitted to provide health-related information, without restraints being imposed by the FDA. The Health Freedom Act of 1992 makes it clear that the FDA cannot establish any requirement that disease- or health-related claims or other information concerning a dietary supplement must be approved by or conform to a regulation issued by the FDA before they can be used in labeling or advertising of that supplement.

Mr. Speaker, I want to emphasize that if a labeling or advertising claim is false or misleading, or if there is not reasonable scientific basis for such a claim, the FDA has the authority to take action against the product involved as a misbranded food. Nothing contained in this legislation would change that power of the FDA to protect consumers.

Finally, the Health Freedom Act of 1992 provides that if the FDA issues a warning letter concerning a dietary supplement, asserting that a disease- or health-related claim is false

or misleading or that there is insufficient scientific evidence to back up the claim, the manufacturer or other responsible party may promptly seek judicial review of the merits of the FDA's assertion. Currently the FDA maintains that when it issues warning letters to makers of dietary supplements, the companies should not be able to test the validity of the agency's allegations by immediate review in a court of law.

Mr. Speaker, I believe that commercial speech should enjoy considerable freedom and latitude, provided the information is not false and there is no deliberate attempt to deceive or mislead. This is certainly as true for dietary supplements as for any other food products. To subject dietary supplements to unnecessary regulation, merely to provide some convenience of enforcement to the FDA, would result in prior restraints on truthful labeling and advertising of these products.

In my opinion, the Health Freedom Act of 1992 is a reasonable approach to the problem of balancing the interest of Government in protecting consumers against fraudulent and misleading claims with the right of consumers to purchase dietary supplement products and companies to sell such products to the public without undue government interference with the free flow of health- and disease-related information.

I ask my colleagues to support this legislation, and I urge the Congress to pass it this session. Mr. Speaker, I include the complete text of the bill in the RECORD at this point.

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Health Freedom Act of 1992."

#### SEC. 2. DEFINITIONS.

(a) DIETARY SUPPLEMENT.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following new paragraph:

"(f) The term 'dietary supplement' means an article that—

"(1) includes, and is intended to supplement the diet with—

"(A) a vitamin;

"(B) a mineral;

"(C) an herb; or

"(D) another similar nutritional substance, including a concentrate or extract of an item described in clause (A), (B), or (C); and

"(2)(A) is intended for ingestion in a form described in paragraph (1)(B)(i) or (2) of section 411(c), or another similar form; or

"(B) complies with section 411(c)(1)(B)(ii)."

(b) DRUG.—Section 201(g)(1) of such Act is amended by adding at the end at the following: "A dietary supplement shall not be considered to be a drug solely because of the potency of a substance in the dietary supplement. A dietary supplement shall not be considered to be a drug under clause (B) solely because the labeling or advertising for the supplement contains a claim, or provides information, that is described in section 413(b) and meets the requirements specified in paragraphs (1) and (2) of such section, or that concerns the potency of a substance in the supplement."

(c) FOOD ADDITIVE.—Section 201(s) of such Act is amended—

(1) by redesignating subparagraphs (1) through (5) as clauses (A) through (E), respectively;

(2) by inserting "(1)" after "(s)"; and

(3) by adding at the end the following: "(2) A substance in a dietary supplement is not a food additive if the substance is identified in the labeling of the dietary supplement as a substance provided by the product to supplement the diet."

#### SEC. 3. DIETARY SUPPLEMENTS.

(a) IN GENERAL.—Chapter IV of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

##### "SEC. 413. LABELING AND ADVERTISING OF DIETARY SUPPLEMENTS.

"(a) DESCRIPTION.—Notwithstanding any other provision of this Act, an article that is a dietary supplement may be described as a dietary supplement in labeling or advertising.

"(b) RELATIONSHIP TO DISEASE OR HEALTH-RELATED CONDITION.—Notwithstanding any other provision of this Act, labeling or advertising for a dietary supplement may include a claim or other information that characterizes the relationship of the dietary supplement, or of one or more of the substances provided by the dietary supplement, or of the absence of one or more of the substances, to a disease or health-related condition, if—

"(1) such claim or other information is truthful and not misleading; and

"(2) there is scientific evidence, whether published or unpublished, that provides a reasonable basis for such claim or other information.

"(c) PROHIBITION ON PRIOR APPROVAL OR REGULATION.—Notwithstanding any other provision of this Act, the Secretary shall not establish any requirement that such a claim or other information that meets the requirements specified in paragraph (1) or (2) of subsection (b) shall be approved by or conform to a regulation issued by the Secretary before the claim or information may be used.

"(d) ACTIONS.—

"(1) RIGHT OF ACTION.—If the Secretary asserts that labeling or advertising for a dietary supplement includes such a claim or other information that fails to comply with paragraph (1) or (2) of subsection (b), whether the Secretary makes the assertion in a warning letter issued by an officer or employee of the Department, or in connection with another action to enforce a provision of this Act, the manufacturer, processor, packer, distributor, or retailer, of the dietary supplement, or other person to whom the assertion is addressed, may—

"(A) bring an action in a United States district court in any appropriate judicial district under section 1391 of title 28, United States Code, to secure a declaratory judgment regarding the validity of the assertion; and

"(B) obtain any other means of judicial review authorized by law.

"(2) INFERENCE.—The absence of any action described in subparagraph (A) or (B) in paragraph (1) with respect to an assertion shall not establish any inference that the assertion is valid."

(b) CONFORMING AMENDMENT.—Section 403(r)(5) of such Act (21 U.S.C. 343(r)(5)) is amended by striking clause (D).

#### IN RECOGNITION OF THE SALEM YWCA TEEN PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. KOPETSKI], is recognized for 5 minutes.

Mr. KOPETSKI. Mr. Speaker, I rise today to recognize the efforts of the Salem, OR, YWCA Teen Parent Program, located in my district.

Mr. Speaker, continued high rates of teen pregnancy should alarm all of us. When our youth get pregnant before they get an education, there are serious consequences for both the mother and child involved and for our society. Each year, over 1 million young women under age 20 become pregnant, and almost half give birth. Between 1986 and 1989 the birth rate increased by 19 percent among teens aged 15-17, and by 7 percent among teens aged 18-19.

Teen mothers are less likely to finish high school, and are more likely to be dependent on public funds. Nearly 50 percent of all Oregon expenditures for assistance to families with dependent children are to support households in which the women have been teenage mothers. In addition, the health problems of infants of teen mothers are legion. Adolescent mothers are 2½ times more likely than women between the ages of 20 and 34 to receive inadequate prenatal care. A 1988 study in Oregon found that babies of mothers under age 18 were twice as likely to be of low birth weight and twice as likely to die during the first year of life compared to infants of women in their late twenties and early thirties. However, I must point out that it is the mother's disadvantaged economic and social background which leads to both the pregnancy and the health and schooling difficulties that result from the pregnancy as much as the pregnancy and subsequent birth which creates these disadvantages.

Mr. Speaker, these people need our help. They need our help for their own sake. And they need help for the sake of their families and their children. Fortunately, programs across the country are having remarkable success in helping teenage mothers continue their education and care for their children. One of the most successful of these is the Salem, OR YWCA's Teen Parent Program.

The YWCA Teen Parent Program gives teenage mothers help in all areas: health care for both the mother and her child, academic assistance for attaining a high school diploma or a GED, job training, daycare, and counseling. Teen mothers continue enrolled in the program receive 1-on-1 attention, and are given flexibility in designing their schedule. A recent study of the YWCA Teen Parent Program found that 4 years after leaving the program, 78 percent of its participants had graduated from high school or received a GED, 87 percent were employed, and only 9 percent were on public assistance. Parenting magazine recently stated that the Salem YWCA Teen Parent Program "\*\*\*\*could be a model for the nation." I know it should be.

Mr. Speaker, I am extremely proud of the work that program director Ms. Nancy Hart-Fishwick and her colleagues have done. Much has been said recently about the importance of family in our society. Programs such as this are making real accomplishments towards cementing a good future for teen mothers and for their children, and I commend Nancy and the Salem YWCA for their efforts.

### THE LATEST SHOWDOWN WITH IRAQ: A VICTORY FOR SADDAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. ASPIN] is recognized for 5 minutes.

Mr. ASPIN. Mr. Speaker, today I would like to begin a series of speeches on what has been happening in Iraq since the end of the gulf war. This latest showdown with Saddam Hussein has ended unsatisfactorily. Now the Bush administration says it wants the United Nations to accelerate its inspections to test Saddam Hussein's resolve to comply with the U.N. resolutions. George Bush should realize that it is his resolve that is being tested.

The crisis developed this way. On July 4, a team of chemical weapons inspectors in Iraq, acting on an intelligence tip, demanded entry into the Ministry of Agriculture to look for documents relating to Iraq's chemical weapons program. The Iraqis refused. For 18 days the inspectors held a 24-hour vigil outside of the Ministry, but despite repeated complaints from the Security Council and 3 days of negotiations with U.N. Special Commission [UNSCOM] head Rolf Ekeus, the Iraqis did not budge. Increasingly violent demonstrations against the inspectors eventually forced them to retreat from the Ministry, and then to leave Iraq altogether. By July 24 and 25 the United States, the United Kingdom, and France were once again threatening military action if Iraq did not begin to comply fully with U.N. resolutions.

On July 26, 22 days after the crisis began, U.N. officials reached an 11th hour agreement with the Iraqis. Under the arrangement negotiated by UNSCOM chief Rolf Ekeus, a modified inspection team—excluding United States and British inspectors—may now enter the Ministry of Agriculture, with Ekeus himself conducting the sensitive inspection of the Agricultural Minister's office.

In a press conference on Sunday, President Bush announced that "this stand-off is resolved by his—Saddam's—caving in, by his backing off." Meanwhile on July 27, Iraqi Prime Minister Mohammad Hamza al-Zubeidi described the United Nations' acceptance of a neutral inspection team as a brilliant victory. Who is right? Unfortunately, it looks like Saddam Hussein has more to cheer about than George Bush does. While U.N. inspectors have gained access to Iraq's Agricultural Ministry, an overall erosion of the United Nation's authority is the price we all had to pay. For example:

Saddam successfully prevented the inspection for over 2 weeks before anyone, including the United States, started to work the issue seriously. By this time, the security situation had so degenerated that the inspectors had to give up their vigil for fear of their own safety. This gave the Iraqis the opportunity to remove any incriminating evidence that may have been there. Even Rolf Ekeus has admitted that he is "quite pessimistic about making any major catch at the facility."

Saddam Hussein successfully made the nonnegotiable, negotiable. The U.N. resolutions are absolutely clear—the United Nations has the right to investigate anytime and anywhere, with inspectors of its own, not Iraq's, choosing. This crisis has opened the door for

Iraq to renegotiate many of the more onerous elements of the U.N. resolutions.

Saddam Hussein successfully reduced the involvement of American and British inspectors in this inspection and set a damaging precedent for the future. Trained and competent experts in these types of unconventional weapons do not grow on trees, and the United States and the United Kingdom have many of the best. If Saddam succeeds in preventing United States and United Kingdom participation in future inspections, future inspection efforts may be seriously hampered.

If this was just an isolated incident of Iraqi intransigence and noncompliance, perhaps this outcome would be less disappointing. Unfortunately, in the last 3 months, Saddam Hussein has become increasingly bold—challenging the United Nations' authority in Iraq on multiple fronts simultaneously. And yet, Saddam Hussein succeeded in ending the crisis and lifting the threat of a military strike without offering any progress on these outstanding issues, or restating his obligation to comply with the U.N. resolutions. Iraq continues to defy its United Nations' obligations by:

#### REJECTING THE U.N. BORDER COMMISSION'S DECISION

On June 1, Iraq officially rejected the border demarcation recommended by the U.N. Commission. Since that time, Iraq has refused to attend any meetings of the Commission. Resolution 687 specifically demands that Iraq agree to return to the 1963 Iraq-Kuwait border as defined by the Commission before Iraq can be found in compliance with the resolution and the sanctions lifted.

#### BLOCKING HUMANITARIAN ASSISTANCE

Iraq has refused to sign an extension of the memorandum of understanding [MOU], which expired on June 30, that allowed for 1,100 U.N. personnel—500 lightly armed guards and 600 aid workers—to operate in Iraq. In addition to demanding the immediate departure of all U.N. personnel, the Iraqis are complicating the humanitarian effort by rejecting visa applications and renewals, withholding gasoline and diesel allotments from United Nations and relief personnel to limit their mobility, and imposing new restrictions on the movement of all U.N. trucks by requiring that movement of all U.N. trucks be approved 48 hours in advance. Most seriously, Iraqi agents are threatening the security of U.N. guards in the north. In the last 3 weeks, one guard has died and four have been injured in three different attacks.

#### REJECTING THE OIL FOR FOOD RESOLUTION

On July 13, after lengthy negotiations, Iraq again rejected the U.N. terms for the sale of \$1.6 billion worth of oil in exchange for food and medicines. Iraq's continued rejection of this resolution not only harms the Iraqi people who so desperately need these goods, but also impedes the U.N. operations, such as dismantling Iraq's weapons of mass destruction, for which Iraq bears the financial burden.

#### USING FIXED-WING AIRCRAFT

A few months ago Iraq used its fixed-wing aircraft for the first time since the cease-fire to respond to an Iranian attack. The United States has ignored the increasing use of these aircraft since then—even against the Shi'a in the south. United States and United Nations silence in the face of increasingly bold military

actions in Iraq have persuaded the Iraqi leader that the United States and the United Nations are distracted with other issues. For over a year Saddam Hussein had refrained from using his aircraft for fear of the coalition's response. By ignoring this bold move, the United States has unfortunately encouraged Saddam to take other defiant steps.

Unfortunately, Saddam Hussein's cheat and retreat tactics have become all too familiar. At least four times in the last year it has required the specter of renewed military aggression to back down Saddam Hussein's belligerent stance. With his threat and forget responses, however, George Bush continues to treat these challenges as isolated episodes. Meanwhile Saddam Hussein gets away with a pattern of abuse that is slowly but steadily eroding the Iraq's ceasefire obligations to the United Nations.

This statement is one in a series I intend to make about the issues presented by the continuing crisis in Iraq and what it tells us about the new era. While George Bush has been preoccupied with other issues, Saddam Hussein continues to erode U.N. authority and rebuild his war machine. These statements are intended to help provide the sustained attention this problem requires.

### AUTOMOBILE INDUSTRY BETTER THAN YOU THINK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

Mrs. BENTLEY. Mr. Speaker, dire predictions about the demise of the American automobile business received another boost recently from the International Trade Commission's [ITC] shocking decision on Japanese minivans.

The Commission ruled that the American auto industry had not suffered significant harm from imported Japanese minivans—in complete contradiction to a finding by the Commerce Department. That ITC decision prevented the Commerce Department—which would have set the additional tariffs—from levying the appropriate 25 percent tariff on light trucks/minivans, plus substantial dumping charges.

This ITC decision is aimed directly at the most profitable segment of the automobile industry, and it is described as a landmark decision. The minivan market accounts for over 17 percent of the vehicle market for the automobile industry.

Ironically, the minivans and sport utility vehicles were developed about 10 years ago in the United States, by American carmakers, not those in Japan.

Naturally, carmakers in Japan were jubilant with the ITC decision, but the American manufacturers were displeased. The Washington Times reported that Thomas Hanna, president and chief executive officer of the Motor Vehicle Manufacturers Association of the United States stated:

They've been told by this agency that you can dump in this market and get away with it. Essentially we've been told by the U.S. Government to drop dead.

This minivan decision was made about the same time the Washington Times reported on the findings of a joint United States-Canada automobile panel, which was set up under the Canadian Free-Trade Agreement. The panel concluded that:

The North American auto industry faces possible extinction in the coming decades unless government and manufacturers take measures to improve its competitiveness with Japan.

The panel suggested the United States Government take immediate steps to cut the \$42 billion trade deficit with Japan of which 75 percent is auto related. The report pointed out that the United States risks losing another 100,000 industry jobs within 5 years if we do not move quickly to help the industry.

Vice chairman of the panel, Mr. Joseph Gorman, chairman and chief executive officer of TRW said:

The Japanese have a fundamentally different system of trade and competition, which is historically based on protectionism.

He also issued a warning:

The decline of the industry parallels the decline and erosion of the North American industrial base.

Mr. Gorman is right. The automobile industry is an industrial giant for the United States. A friend of mine at Ford Motor Co. describes the industry this way. He explained:

The automobile industry is the second most complex industry in the world after the aerospace industry. It is amazing to me that we can make a car with 2,000 car components with the right quality and low price which is appealing to a customer.

Each car requires steel, glass, iron, wool, plastics, semiconductors, lamps, batteries and other products which come together in a product that must start each morning. It must keep performing and be able to withstand rain and snow and go up hills and mountains. It is a sophisticated industry.

Through suppliers, this giant of an industry accounts for 40 percent of all the machine tools, 25 percent of all the glass, and 20 percent of all the semiconductors sold in America.

The auto industry buys 77 percent of the natural rubber, 67 percent of the lead, 64 percent malleable iron, 53 percent of screw machines and auto stampings, 50 percent of the synthetic rubber, 18 percent of the aluminum, and 12 percent of the steel in the United States.

As we stress the competitiveness of the United States we must remember that the auto industry accounts for over 12 percent of all corporate R&D in the United States, and employs 6.5 percent of all the scientists and engineers employed in R&D activities. Remember—R&D is the secret of industrial might and has been the source of making the United States a world leader in

technology. That position is slipping now.

Mr. Gorman is right about the importance of the auto industry to the United States and to North America. It represents 4.5 percent of our gross national product [GNP] and in 1990 the industry directly employed 800,000 workers and another 1 million indirectly. In fact, 1 in every 7 jobs is tied to the motor vehicle industry and more than 1.4 million Americans work in 4,400 plants and facilities in 49 States.

More importantly, the American automobile industry is the highest value added generator to our economy of \$100,000 per each job versus \$48,000 for the entire U.S. economy. Each American car generates \$6,000 in taxes while foreign built cars generate only \$400. The people who work in the industry pay 1 of every 8 Federal, State, and local tax dollars.

Not if Mr. Gorman's warning is correct, and the United States-Canada panel is right, and the auto industry could be extinct, then what happens to the people employed in the industry—and what happens to other industries supplying the auto industry?

The answer is obvious, we cannot afford to lose the automobile industry or the jobs and industries directly and indirectly related to it. We must quit knocking the industry—and take a clear look at it—and do what we can to help. There are too many myths about American auto making.

For one thing, the U.S. automobile industry can compete in the world. In comparing the world's three major auto industries of United States, Japan, and Europe, the results are surprising. On a rating of 1 to 10 with 10 being the best, the U.S. industry ranks first in fuel economy, innovation, technology level, safety, price, and current operating costs. It ranks second in styling and quality and third in development time and productivity.

But the Big Three are changing those figures, even now. Production and development time are being cut and the Big Three are grabbing back the market share from the Japanese.

Business Week reports that in:

The first five months of 1992, U.S. carmakers have grabbed 72.4 percent of the domestic car and light-truck market, up 1.6 points from a year ago.

So, the industry grabs a point—how important is that to the U.S. economy. Each point of market share is worth about \$2 billion in revenue. In the tight money squeeze for the U.S. Government, every bit of revenue is welcome; and certainly with the high unemployment rate, every bit of generated revenue helps to create more jobs.

Taking back the market share also can help the deficit. Right now the \$42 billion trade deficit with Japan is 75 percent auto-related.

In taking back the market we must be sure not to thrust excessive regu-

latory burdens on the industry. With the passage of the Clean Air Act of 1991, an additional \$2,000 will be placed on the cost of each car to cover this additional regulatory expense.

In our efforts to have clean air we have created another problem. We thought that CAFE standards would conserve gasoline, that people would drive less. Just the opposite happened.

With the development of higher miles per gallon, the American people started driving further and the United States still is striving toward smaller cars, which is Japan's specialty. Americans traditionally have specialized in the medium and luxury cars. Clearly, we are not meeting the goal of conserving energy.

In addition, we need to consider the role of foreign transplants in the auto industry. According to the Economic Strategy Institute, the Japanese transplants went from producing 50,000 cars to 1.6 million annually. Granted, they employ Americans, but a good share of the design and engineering is done in Japan and the transplants only source 38 percent American parts on an average per car.

The Economic Strategy Institute calculated the effects of the transplants on employment and GNP and arrived at a net loss of U.S. tax revenue of \$1.375 billion. There was a net loss of 74,800 jobs and GNP income of \$5.5 billion.

Clearly, our automobile industry is working very hard to streamline and be competitive. We can help the industry by insisting on reciprocity in trade negotiations. Government can help the industry by not ruling against our own manufacturers. Most Americans understand the difference between a light truck and minivan and car, but apparently the ITC does not understand the difference.

What is needed is to realize that the U.S. Government forced the industry to change through trade agreements and by the laws we passed. In 1965 the United States-Canada automobile pact relocated a substantial portion of the industry to Canada. In return the imports from the United States were tied to the level of exports from Canada. At present, Canada has the best of the bargain.

To the south, Mexico has for over 20 years enforced a decree that for every \$1.50 imported into Mexico \$2 had to be exported. Both the Canadian and Mexican agreement are running deficits.

Our Government must begin immediately to represent the American automobile industry—which now is a North American industry as a result of government policies. The U.S. industry still is the world's leader in parts and components pricing cost with American producers being \$735 lower than their Japanese counterparts. Let's keep it that way.

The Big Three are on a roll. Let's get out of the way and lend a helping hand,

by creating the best climate possible for the automobile industry. That means being tough in trade negotiations, and not passing punitive laws which affects the American industry and allows foreign producers to play by different rules.

Check out the American cars—they are leading the way to a resurgence for American industry. Let's cheer them on and give them a chance. The American automobile industry is better than you think.

□ 2100

#### ORDER OF BUSINESS

Mr. DELAY. Mr. Speaker, I ask unanimous consent to move the special order of the gentleman from Florida [Mr. BILIRAKIS] ahead of the special order of the gentleman from Florida [Mr. BACCHUS] and that my special order may follow the gentleman from Florida [Mr. BACCHUS].

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

There was no objection.

#### THE 18TH ANNIVERSARY OF THE INVASION OF CYPRUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 60 minutes.

Mr. BILIRAKIS. Mr. Speaker, I appreciate the motion on the part of the gentleman from Texas, and the gentleman from Florida having allowed me to proceed for good reason, because their special orders can then be consolidated.

#### FREEDOM AND UNITY FOR CYPRUS

Mr. BILIRAKIS. Mr. Speaker, I rise today to join my distinguished colleagues from New York and California in paying tribute to the valiant people of the Republic of Cyprus on this, the 18th year of the occupation and division of that island nation.

Two days ago, we marked that 18th year—almost two decades of what has amounted to the systematic destruction of the history and culture of the Cypriot people by the Turkish occupiers of the northern portion of Cyprus.

I stand with my colleagues in calling for peace, and a resolution of this crisis. Indeed, talks are ongoing under the auspices of the United Nations; talks that hold the current hopes of Cyprus and peace-loving people everywhere for this very resolution.

A light may well be glimmering in the darkness that shrouds Cyprus, but to ensure a successful and peaceful resolution, we need continued pressure from the United States and our friends abroad. It is important that we all understand what is at issue here.

Mr. Speaker, at this time I will break off and yield to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I commend the gentleman from Florida [Mr. BILIRAKIS] for arranging this special order in order to enable us to take this time to review the Cyprus issue.

Mr. Speaker, on July 20, 1974, Turkish troops invaded and occupied the island of Cyprus. Since that time, Ankara has maintained an occupation force, 30,000 strong, in northern Cyprus. The United Nations, with United States support, has been promoting an intercommunal negotiating process aimed at creating a new federal republic on that island. Such a federal republic would be a bicomunal, bizonal, nonaligned and independent state.

Beginning in late 1988, the United Nations has sponsored peace talks between Greek Cypriot President George Vassiliou and Turkish Cypriot leader Rauf Denktash. They are currently engaged in such peace talks in New York with Secretary General Boutros Boutros Ghali on a set of ideas for a settlement, including territorial adjustments. For the first time in years, we have cause to be optimistic.

Our Nation has been monitoring developments in Cyprus most closely. Our Foreign Affairs Committee annually authorizes \$15 million to Cyprus with the intent of promoting bicomunal projects, and to provide scholarship money to Cypriot students. Our executive branch has also played an important role in the quest for a peaceful resolution to the Cyprus problem. To that end, I would like to commend our special coordinator for Cyprus, Nelson Ledsky, for his significant negotiating efforts. But frustration remains. In order to make progress toward peace during the current round of talks in New York, Turkish Cypriot leader Denktash must abandon his intransigent attitude and be willing to negotiate issues of importance.

Mr. Speaker, July 20, 1992 unhappily, marked the 18th anniversary of Turkey's illegal occupying presence on the island of Cyprus. Turkey's invasion of Cyprus killed thousands of Cypriots and displaced an additional 150,000 from their homes. Over the last 18 years, the division of Cyprus has resulted in violent confrontations along the so-called green line.

Accordingly, Mr. Speaker, I join my colleagues in urging President Bush and Secretary Baker to place Cyprus at the top of our Nation's foreign policy agenda. The executive and legislative branches of our Government must join together in sending the strongest message possible to Ankara: "Get those troops and military equipment out of Cyprus and do it now."

Mr. BILIRAKIS. Mr. Speaker, before I yield to the gentlewoman from Maryland, I would thank the gentleman from New York [Mr. GILMAN] a wonder-

ful humanitarian who is interested in peace and the resolution of all these types of problems all over the world, and particularly on this issue. I thank the gentleman very much for his wonderful support in this regard.

Mr. Speaker, I yield to the gentlewoman from Maryland [Mrs. BENTLEY]. Mrs. BENTLEY. Mr. Speaker, I thank the gentleman for yielding to me.

I also want to commend the gentleman for taking this time again to bring to our attention the Cyprus problem as he has done for several years, and I have been happy to join him on each of those occasions.

Mr. Speaker, the Turkish occupation of 37 percent of Cyprus' territory continues. As my colleagues and I have done so many times before, we are once again addressing the Cyprus problem, which now has entered its 18th year.

In fact, it was 18 years and 8 days ago, July 20, 1974, that Turkish troops invaded Cyprus.

At the moment, the United Nations also is addressing this problem in closed talks in New York. Although there seems to have been some antipathy to these efforts recently by Turkish-Cypriot leader Rauf Denktash, let us hope that the talks actively are bringing a resolution to this serious problem.

With the collapse of communism in Eastern Europe and the Soviet Union, the Cyprus problem stands out as one that must be brought to a resolution as quick as possible.

Countries such as the former Soviet Union and former Yugoslavia are reverting back to the tribalism that characterized this area previous to the First World War.

The role of Turkey, once that of the frontline of the Western powers against communism during the cold war, rapidly is evolving into one of a sphere of influence in this part of the world.

That Turkey overstepped its bounds in this role is of very great concern to me and many of my colleagues. The precedent of Turkish occupation of Cyprus points to the threat of similar actions by that country in areas of both the former Soviet Union and in the eastern Mediterranean. Actions that would be very detrimental to the stability of this region.

Not that this is the only concern. Within Cyprus itself, questions of resettlement of refugees, missing persons, and a long-term solution to this problem must be addressed.

Notwithstanding Turkish occupation of Cyprus, the changing role of Turkey indicates a serious need for a rethinking of United States policy on Turkey.

However, the positive participation and cooperation of Turkey in coming to a resolution of the Cyprus problem should be the minimum that the United States ask if Turkey expects to receive continued support from this country.

In addition, the United States should focus on the plight of the Kurdish minority in Turkey, and demand that their human rights situation be rectified as an additional precursor for continued United States support.

Anything less would be unacceptable. I would like to thank Mr. BILIRAKIS for organizing this effort today, and my fellow members for participating. The continued Turkish occupation of Cyprus is a very serious problem. Let us hope that the current United Nations' effort finally will resolve this problem that has been going on 18 years too long.

□ 2110

Mr. BILIRAKIS. Mr. Speaker, I, too, thank the gentlewoman from Maryland [Mrs. BENTLEY] for joining us in this special order and the wonderful support that she has offered in this cause through the years.

Certainly she understands the problem here very well because her mother country, part of the former Yugoslavia, Serbia, is going through an awful lot of problems these days.

Thank you again, HELEN.

Mr. Speaker, at this point I yield to my fellow conspirator on this special order, the gentleman from New York [Mr. GREEN].

Mr. GREEN. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to join my colleague, the gentleman from Florida [Mr. BILIRAKIS] in holding this special order today to mark with pain the 18th anniversary of the Turkish invasion of Cyprus.

As is well known, on July 20, 1974, tens of thousands of Turkish troops invaded the independent Republic of Cyprus, resulting in the displacement of nearly 200,000 Greek Cypriots. Today, some 35,000 Turkish troops remain illegally on Cyprus, prohibiting that nation from finding a political solution to its problems. As a result of the invasion, nearly 40 percent of the total territory of the Republic of Cyprus came under Turkish military occupation, territory which accounts for 70 percent of the economic potential of the island.

For years, Congress has been united in deploring the continued division of Cyprus. Despite our best efforts, however, the crisis for that island nation remains unresolved. With the cold war over, the United States must truly step up the pressure to reach a solution to outstanding regional problems such as this. Cypriots, both Greek and Turkish, deserve to be free of the hostilities that have plagued their land for nearly two decades.

Turkish troop presence on Cyprus is unjust and in violation of international law. The situation has dragged on for 18 years without resolution, leaving a nation divided and a population embattled. The international community has repeatedly condemned the Turkish oc-

cupation of Cyprus, and several U.N. resolutions have called for the immediate withdrawal of those troops. Currently, the U.N. Secretary General is conducting peace talks to attempt to bridge the differences between Greek and Turkish Cypriots in hopes of finally resolving the conflict. I commend the U.N. Secretary General for his good faith efforts and his commitment to achieving progress on the Cyprus problem, and I urge the United States to continue its strong support of the U.N. effort.

Unfortunately, Turkey has consistently refused to say whether it is willing to withdraw from territories it has occupied since its 1974 military invasion and to allow the Greek Cypriot refugees to return to their homes. Turkey is a major beneficiary of United States aid, receiving over \$800 million in fiscal year 1991 alone. We must use that aid as leverage to achieve a Turkish withdrawal from Cyprus. Since the 1974 invasion of Cyprus by Turkish troops, the United States has provided over \$6 billion in military aid to Turkey, and yet virtually no progress has been made in convincing the Turks to cease their occupation of Cyprus. Because I find this situation so disturbing, earlier this year I introduced legislation, H.R. 4399, to withhold all United States military and economic aid to Turkey so long as that nation continues to occupy Cyprus illegally. I take this opportunity to encourage my colleagues who have not already done so to join as cosponsors of H.R. 4399.

A deeply troubling humanitarian issue remains unresolved as well. 1,619 individuals, including 5 Americans, remain missing and unaccounted for since the 1974 invasion, and Turkey has so far, failed to provide any evidence on their fate. Those individuals were known to be alive and in the custody of the Turks after the cessation of hostilities, but remain unaccounted for to this day. The painful problem of Cypriots disappearing must be solved.

In short, our message is simple—Turkey must remove its troops immediately, so that all parties may work toward a peaceful resolution of the Cyprus problem. We must let the Turkish Government know loud and clear that finding a solution to the division of Cyprus is paramount in defining the future of United States relations with Turkey.

Let me close by expressing the hope that next year Congress can convene a special order at this time not to decry the ongoing problem of a divided Cyprus, but rather to celebrate Cyprus' unity, independence, sovereignty, and territorial integrity.

Mr. Speaker, I again thank the gentleman from Florida [Mr. BILIRAKIS] for his leadership on this issue.

Mr. BILIRAKIS. I thank the gentleman from New York [Mr. GREEN], and with God's will next year we will

celebrate what it is we are all praying for at this time.

Mr. Speaker, to continue, 200,000 men, women and children were forcibly expelled from occupied Cyprus. They are now refugees—a people without a home. These refugees have been living through an 18-year exile.

Turkey continues its illegal occupation of northern Cyprus—one recognized by no other government on Earth. Turkey continues to station more than 30,000 troops there and to maintain some 65,000 settlers on Cyprus. Frequent incidents and disputes scar the populace.

It is surely in Turkey's best interest to resolve this problem expeditiously. In fact, Turkey's intransigence is one more stumbling block keeping her from becoming an accepted part of the European Community. While Turkey has other problems to solve in this regard, the EC has made it clear that membership is contingent upon resolution of the Cyprus problem.

Cyprus is the only, let me repeat the only, country in Europe with 37 percent of its land under the occupation of an invading force. Furthermore, Turkey continues to change the demography of Cyprus by transplanting Turkish settlers there. In the near future, the settlers and the occupying troops will outnumber the indigenous Turkish Cypriot population—and with each passing day the tension on the island grows.

As a result of the 1974 military invasion, 1,619 individuals, some of whom—as I have mentioned before—happened only to be in the wrong place at the wrong time, have never been seen again.

Mr. Speaker, among those 1,619 individuals are 5 U.S. citizens—missing for nearly two decades without a trace.

In May of this year, I chaired a congressional human rights caucus hearing that dealt with the missing in Cyprus. What I heard was heart wrenching.

In a briefing for that hearing, Mr. Costas Kassapis, an American citizen who resides in Michigan, testified that he and his family had been vacationing in Cyprus at the time of the invasion and occupation. His son, Andrew, who was only 17 at the time, was taken before Mr. Kassapis' eyes.

While the rest of his family was held captive for 11 days, Andrew was dragged off by Turkish Cypriot soldiers, as Mr. Kassapis testified, "U.S. passport in hand."

Mr. Speaker, why is it that five American citizens are still missing as a result of the military invasion of Cyprus in 1974? Turkey is considered by the United States and this administration as an ally, however, Turkey has not offered any proof of what has happened to these people.

For this reason, I have requested that the State Department conduct a

formal investigation into the whereabouts of these 1,619 missing persons—and the President's foreign policy and national security advisors currently are reviewing my request for action. I urge them, in the strongest of terms, to approve my request and to begin this investigation, just as soon as is practical.

Nearly two decades of grief and suffering by family members is enough, nearly two decades of uncertainty, of helplessness is enough. Is this too much to ask?

Is a resolution of the Cyprus problem too much to ask to bring an end to long, bitter and sometimes hostile conflict, and to secure peace and stability in the region? I say no, Mr. Speaker. Greece and Turkey both can be valued and valuable United States allies and trading partners in a region of growing significance, but this great wound must be healed first, this must be put behind us first.

Northern Cyprus has seen its culture mutilated, its antiquities pillaged. Churches have been plundered and ransacked; beautiful frescos stripped from the walls of these religious institutions. Other churches have been converted into mosques and still more have been turned into cinemas and recreational centers.

As I said earlier, what Cypriots have witnessed is the wanton and systematic destruction of their history and cultural heritage.

Many archeological sites, too, have been plundered and irreplaceable artifacts have been either destroyed or sold off. Historical sites, some dating to 500 B.C., were terribly damaged during the invasion and hostilities that followed. Important historical buildings often are the unintended casualties of war, and those on Cyprus were no exception. Sites of no military value were bombed and others were vandalized by Turkish forces.

Mr. Speaker, we must end the occupation of this island-nation before all traces of Cypriot culture and history are trampled underfoot.

We in the Congress have a responsibility to use our influence to see Cyprus made whole again, to rescue the thousands of Greek-Cypriots who have become refugees in the land of their birth. Like those faithful Cypriots, both in my district and elsewhere, we must do our utmost in this cause.

Mr. Speaker, I include for the RECORD the following correspondence:

THE WHITE HOUSE,  
Washington, June 23, 1992.

HON. MICHAEL BILIRAKIS,  
House of Representatives,  
Washington, DC.

DEAR MIKE: Thank you for your recent letter to the President recommending the State Department conduct an investigation into the status of 1,619 Greek Cypriots listed as missing.

We appreciate being advised of your support for such action. I have provided copies

of your letter to the President's national security and foreign policy advisors for their review.

Thank you again for writing.

With best regards,

Sincerely,

NICHOLAS E. CALIO,  
Assistant to the President  
for Legislative  
Affairs.

Mr. BONIOR. Mr. Speaker, I'd like to thank my distinguished colleagues Congressmen BILL GREEN, ROBERT MRAZEK, MICHAEL BILIRAKIS, and Congresswoman NANCY PELOSI for holding today's special order to mark the 18th anniversary of the Turkish invasion of Cyprus.

On July 20, 1974, Turkish troops invaded and occupied northern Cyprus. Today, over 35,000 Turkish troops remain there. The troops occupy nearly 40 percent of the island even though only 18 percent of the population is Turkish Cypriot.

Thousands of Greek Cypriots became refugees as a result of the invasion. Today, a barbed wire fence, known as the Green Line, cuts across the island separating thousands of Greek Cypriots from the towns and communities that their families lived in for generations.

Yet despite its continued illegal occupation of Cyprus, Turkey receives over \$600 million a year in United States aid. We must ask ourselves is this what we want the new world order to include. I am proud to be a cosponsor of H.R. 4399 to withhold United States aid until the Turkish Government acts to end its occupation of Cyprus and complies with international law.

The past few years have produced dizzying change around the world. Barriers between the East and West crumbled. Progress is being made toward peace in the Middle East. Yet, Cyprus remains divided. We can and must resolve this long-standing crisis. The new world order must include a united Cyprus.

I'd also like to take this opportunity to express my concern about the Skopje regime's attempt to use the Greek name Macedonia. Greeks painfully remember Tito's attempt to annex parts of Greece and Bulgaria. The territory touched off several wars early this century in a region that clearly does not need further provocation.

I am encouraged by the recent pronouncement of the European Council stating "its readiness to recognize that republic (Skopje) within its existing borders according to their Declaration on December 16, 1991 under a name which does not include the term Macedonia." It is my deep hope that the United States will follow the lead of the European Council and adopt a similar policy.

Mr. FAZIO. Mr. Speaker, July 22 marked the 18th anniversary of the Turkish invasion of the Republic of Cyprus. I join my colleagues today in this special order commemorating this solemn anniversary, as well as in condemning the illegal Turkish occupation and calling for the withdrawal of all Turkish troops from Cypriot soil. Such a withdrawal is a necessary precursor to any possible peaceful resolution to this ongoing crisis.

Thirty-two years ago, the Republic of Cyprus gained its independence from Great Britain. For the past 18 years, however, the northern 40 percent of this island nation has been

under the oppressive grip of the estimated 35,000 Turkish troops illegally garrisoned there. The Turkish invasion of Cyprus resulted in the displacement of 170,000 Greek Cypriots and the disappearance of 1,614 Greek Cypriots and 5 Americans. All those who disappeared are presumed dead.

The international community has repeatedly condemned the Turkish occupation, and several United Nations resolutions have called for the immediate withdrawal of the Turkish troops. Unfortunately, these actions have been to no avail. The Turkish troops remain, and the Turkish Government continues to refuse to provide any information relative to the fates of the missing Americans and Greek Cypriots.

I continue to hope that the people of Cyprus—both the Greek and the Turkish Cypriots—will find a way to live in peace together. But, such a peaceful resolution to this ongoing crisis will only occur after the withdrawal of all Turkish troops from the island. United States policy must provide a catalyst for such a resolution.

Mr. Speaker, I would like to close my remarks by commending my distinguished colleague from California, Mrs. PELOSI; my distinguished colleague from Florida, Mr. BILIRAKIS; and my distinguished colleagues from New York, Mr. GREEN and Mr. MRAZEK, for calling this special order. I also thank my other colleagues for their participation today.

Mr. REED. Mr. Speaker, this summer, we mark the 18th year of Cyprus' existence as a state divided.

In 1974, the Turkish Army Invaded Cyprus, causing a mass exodus. All Cypriots of Turkish descent were required to move to the northern part of the island, while all Cypriots of Greek descent moved to the island's southern region. Families were uprooted, property was lost and destroyed, and a barrier was erected which remains in place today. In an attempt to justify its ethnic claim to the island, the Turkish Government persuaded thousands of its citizens to colonize northern Cyprus.

The "Green Line", a fortification resembling the DMZ in Korea, now divides Cyprus into Greek and Turkish zones. The demarcation is so severe that the halves of the island seem divided by an ocean rather than a manmade wall. Even Nicosia, Cyprus' capital, has been divided. Now that the Berlin Wall has fallen, the time has come for the termination of the "Green Line", so that Cypriots will once again be allowed to move freely throughout their country.

The Turkish invasion and subsequent occupation of Cyprus violates a number of United Nations' resolutions which call for immediate and meaningful negotiations. The continued occupation of Cyprus by 30,000 Turkish troops is intolerable and the existence of the Green Line serves as a reminder of the continuing need for the United States to play an active role in negotiating a peaceful resolution.

I know many of this chamber share my hope that U.N. Secretary General Boutros-Ghali will continue his recent activities to encourage and facilitate negotiations to resolve the division of Cyprus. I urge all of my colleagues to work actively to end this terrible situation and I commend those who have done so.

We must make every effort to restore Cyprus' sovereignty and unity. Thank you, Mr. Speaker.

Mr. PORTER. Mr. Speaker, I come to the floor today with both sadness and hope to commemorate the 18th anniversary of Turkey's invasion of the Nation of Cyprus. I feel sadness because for the last 18 years, the island and people of Cyprus have been separated by an occupying foreign military force, the Turkish Army. Tens of thousands of refugees fled both south and north in 1974 and have not seen their homes since that time and 1,614 Greek-Cypriots and 5 American citizens disappeared and have not been heard from since.

I also feel hope, however. Last month, Cypriot President George Vassiliou and the leader of the island's Turkish Cypriots, Rauf Denktash, each met separately with U.N. Secretary Boutros Boutros Ghali in New York to discuss a resolution to the Cyprus situation. Although the Secretary General has asked that neither leader speak with the press about the progress of the talks there are indications that the Secretary General has presented each with a working draft proposal for reunification of the island.

On July 15, the two leaders again traveled to New York and have given indications that they will remain there indefinitely working on a solution. Evidently, the U.N. Security Council is taking a direct interest in the meetings and is being briefed daily on progress and may intervene if the talks stall.

I believe that this is the most promising prospect for reunification in many years and I think that Congress should encourage the parties to negotiate to a final resolution acceptable to everyone. The Appropriations Committee adopted report language that I offered on the Foreign Operations bill that expressed support for a fair, lasting and democratic solution to the separation of Cyprus and indicated that it would carefully monitor the negotiations to ensure that all parties are forthcoming and negotiate in goodwill. If it becomes evident during the course of these talks that there is obstruction of the negotiations or acts imperiling a successful outcome, security assistance in that part of the world must be brought into question in the next fiscal year.

Mr. Speaker, the division of Cyprus simply has gone on too long. My wife, Kathryn, and I first traveled to Cyprus in 1981 and have returned several times. It is an incredibly beautiful island with wonderful, warm people and a rich history that is evidenced by a wealth of important archaeological sites and a beautiful legacy of art and architecture. Unfortunately, as you walk down the winding streets of Nicosia or drive through the Cypriot countryside, you are constantly reminded of the 35,000 Turkish troops that loom just beyond the horizon, beyond the U.N. peacekeeping troops, beyond the Green Line that slices Cyprus in two.

I urge the representatives of the two communities on Cyprus to come together for the sake of their people and the future of their country and reach a compromise. A generation has grown up on Cyprus not knowing peace and unity. I am concerned that the bond of shared experience between the two communities forged as a consequence of their

living together for centuries will dissolve if they are not reunified soon.

I thank my good friend, Mr. BILIRAKIS, for calling this special order to draw attention to the ongoing situation on Cyprus and the promising developments that are unfolding in New York. His commitment to Cyprus has been unwavering and his leadership has been instrumental in raising awareness of the Cyprus issue here in Congress.

Mr. HUGHES. Mr. Speaker, I rise here today to express my strong support for H.R. 4399. This measure prohibits all United States military and economic assistance to Turkey until the Turkish Government takes certain actions to resolve the Cyprus problem and complies with its obligation under international law.

For the last 18 years, Cyprus has been an island divided. As we enter a new era of democracy, I believe it is time to end the pain and suffering of Greek Cypriots who remain refugees in their own land.

In 1960, Cyprus achieved independence from Great Britain. Then in 1964, the unrecognized Turkish Cypriots withdrew from most national institutions, and began to administer their own affairs. The Turkish military invasion of Cyprus in 1974 created unparalleled social unrest, including the taking of American and Greek hostages, confiscation of private property and the forced displacement of 200,000 Greek Cypriots.

Assuming that the new world order is to be based upon the principles of self-determination and national sovereignty, the international community must unite in support of Cyprus. Accordingly, as Members of Congress, we must take responsibility for providing Turkey with millions of dollars in military aid, essentially defraying the costs of occupation. The high military aid levels of the past can not be justified as long as Turkish forces remain in Cyprus. If Turkey can afford to maintain 30,000 troops in Cyprus, certainly it can provide for its own defense needs.

The Republic of Cyprus continues to be divided after almost two decades of bitter dispute. It is essential that the stability on this island be established immediately. I believe it is time to end the partition of Cyprus and unite this country under one government that respects and protects the rights of all of its citizens.

I urge my colleagues to join me in supporting H.R. 4399. It is imperative that the United States cease all military and economic aid to Turkey until the Turkish Government withdraws its illegal occupation of northern Cyprus. We must send a clear message to the Turkish Government—it is time to end this atrocity.

Mr. ABERCROMBIE. Mr. Speaker, I come before you again to express my hope that after 18 years of occupation, oppression, and division, the U.N.-sponsored Cyprus negotiation will finally allow the people of Cyprus to be free of the hostilities that have plagued their land for so long.

Mr. Speaker, in 1990, a congressional working group for the just settlement of the Cyprus problem criticized Turkish policy and United States aid to Turkey for perpetuating the division in Cyprus. Turkey received over \$800 million of United States aid last year, and since 1974 has received \$6 billion in military aid. For

this reason, Mr. Speaker, I urge the administration to use this leverage that the United States has with the Government of Turkey to encourage the withdrawal of foreign troops in Cyprus as a first step to ending the division which has remained since 1974.

President Bush pledged in a speech to the Greek Parliament last year that the United States would take a more active role in the Cyprus problem, and said that "no one should accept the status quo in Cyprus." Mr. Speaker, I urge the President to keep this commitment and further spur the U.N.-sponsored negotiations to a successful conclusion.

Mr. LEHMAN of California. Mr. Speaker, July 20 marked the 18th anniversary of Turkey's invasion of the Republic of Cyprus. It is significant that we take this time to reflect upon the crisis currently facing the people of Cyprus. At the outset I would like to thank my colleagues, MIKE BILIRAKIS and BILL GREEN, for organizing this special order and commend them for their dedication to bringing peace to Cyprus.

On July 20, 1974, Turkish troops marched into the Republic of Cyprus and expelled 200,000 Greek Cypriots. This unprovoked aggression on the tiny island nation of Cyprus by the Turks resulted in the current occupation by Turkish soldiers, which has spread to over one-third of the nation. The forced division of the Cypriot people has severely impeded Cyprus' role in the new world order. The people of Cyprus struggled for many years to gain independence in 1960, only to have it shattered in 1974.

Cyprus is partially the victim of a United States foreign policy which has assisted Turkey, both militarily and financially, over the years. Turkey has shown disregard for human life, yet, the United States continues to aid Turkey in its quest to control small neighboring countries. We must send a message to Turkey that the United States will not tolerate aggressive military activity which serves to destabilize the region.

Did the Persian Gulf war not teach us any lessons on the danger of building a regional power. I find it very difficult to comprehend why the flow of foreign assistance from Washington to Ankara, Turkey's capital, continues with Turkey's record of inflicting pain and suffering, which dates back to the 1915 Armenian Genocide.

It appears that the Turkish Government is determined in establishing themselves as the new regional power. The occupation of Cyprus and the threats placed upon the Republic Armenia are definitive signs that Turkey is not committed to bringing peace and stability to the region. The United States' relationship with Turkey severely undermines the principle and ideals so many of us have fought for over the years.

Until Turkey has shown it is willing to play a positive role in securing peace in the region, the United States must withhold all military and economic assistance. Cyprus has been strong-armed by the Turkish Government for 18 years and the United States must let it be known Turkey's provocative actions will not be condoned.

Mr. DOWNEY. Mr. Speaker, I rise to join my colleagues on this special order and commend them for taking the time to bring attention to this important issue.

Americans have always believed that people should live in peace and freedom. Unfortunately, this is not the case in Cyprus. Today, 18 years after the Turkish invasion, Cypriots are forced to live in a divided nation.

I applaud the efforts being made by the international community and the United Nations to bring peace to this area. Settling the disputes that continue in Cyprus will benefit all the parties involved.

However, the U.S. Congress cannot stand by while the division of Cyprus continues. I join with my colleagues today to send a strong signal that Turkey's disregard for the United Nations resolutions is unacceptable, and that the continued occupation of Cyprus has not gone unnoticed. This body has made clear throughout the years that the division of Cyprus must end. I will continue to work with my colleagues to pursue policies that will ensure that Cyprus is once again free and peaceful.

Mr. SCHUMER. Mr. Speaker, I would like to commend and thank my colleagues for conducting this special order to recognize the 18 years of Turkish occupation of Cyprus.

Once again, we are drawn to the floor of the House of Representatives to mark this sad anniversary, and to condemn the atrocities that have plagued the Cypriots for so long.

The years of Turkish occupation of almost 40 percent of the island of Cyprus have been filled with countless crimes and violations of human rights that cannot be tolerated. Hundreds of thousands of Greek Cypriots have been evicted from their homes by the Turkish Army, thousands more have been forcibly detained.

I applaud the actions the U.N. Secretary General has already undertaken to resolve this conflict and to bring peace to this troubled region. Congress too must play an active role in achieving this goal, persevering until these deplorable crimes come to an end.

Mr. KENNEDY. Mr. Speaker, I rise today to join my colleagues in remembering the 1974 Turkish invasion of Cyprus. I would like to thank my colleagues, Mr. GREEN, Ms. PELOSI, Mr. BILIRAKIS, and Mr. MRAZEK for organizing this special order to mark yet another year of occupation of the Republic of Cyprus by Turkish troops.

Eighteen years ago on July 20, 1974, Turkish forces invaded Cyprus and occupied nearly 40 percent of the island. Tens of thousands of Greek Cypriots were driven from their ancestral homes in the northern territories and live today as refugees in their own country. They have lost billions of dollars in property and personal assets, and the fate of 1,614 missing Greek Cypriots and 5 Greek-Americans is still unknown. The cultural, archaeological, and religious heritage in the occupied areas has been desecrated in the Turkish attempt to make this region ethnically sterilized of its long Greek heritage.

There is no question that Turkey's continuing occupation is a blatant violation of international law. The United Nations has ruled time and time again that Turkey is wrong on this matter. Not another nation in the world, with the exception of Turkey, has recognized the creation of the so-called Turkish Republic of Northern Cyprus.

In addition, it is obvious that Turkey is a major part of the problem with respect to solv-

ing the challenge of allowing the Cypriot people to live together in peace. Without question it is clear that this issue must be settled by Greek Cypriots and Turkish Cypriots themselves, but unfortunately Turkey will not let them. I believe Turkey should withdraw its troops and cease its divisive financial and diplomatic support so that the two communities can successfully negotiate a settlement that is satisfactory to both communities.

Mr. Speaker, the Turkish troops must be sent home. It is unconscionable that the United States can continue to provide hundreds of millions of dollars of military aid to Turkey, in effect, subsidizing the occupation of part of Cyprus and impede the resolution of differences. Turkey has failed to negotiate in good faith a substantive settlement and has failed to submit, as it had promised, negotiating proposals regarding territory, constitutional arrangements, and refugees since 1977. As recently as last September in Paris, the Turkish Prime Minister reneged on understandings that had been reached with the U.N. Secretary General and the State Department, and scuttled plans for an international conference favored by the United States. We are, therefore, in effect using taxpayer money to pay for Turkey's illegal occupation and colonization of Cyprus. I have cosponsored Congressman GREEN's bill that would prohibit both military and economic assistance to Turkey if certain actions by that government are not taken. I believe that the threat of withholding Turkey's aid can prod that government into seriously trying to find a solution to the Cyprus problem.

The unpersuasive justifications for continuing military aid to Turkey are no longer relevant or even believable. The fact is, Turkey will pursue its interests regarding the southern Republics of the former U.S.S.R., for example, with or without United States aid. We do not need Turkey as an intermediary with these new nations. Has Turkey been of any benefit to the United States in trying to find a peaceful solution to the Armenian-Azeri conflict? We know that they have not. Mr. Speaker, I am convinced that if we continue to wastefully pour millions of dollars of military aid into Turkey, that there is more than a distinct possibility that we could be creating another Saddam Hussein in the region. We must not forget the lessons taught to us by Iraq. To do so would be a monumental mistake.

The United States needs to break out of its cold war pattern of looking for a threat and for a partner against that threat—and then finding that the partner has a regional agenda that is not ours. This is not intelligent policymaking, especially in a volatile area such as Central Asia. The administration's notion that Turkey could serve as a model for the former Soviet Republics in Central Asia is not shared by many respected area specialists. Turkey has immense human rights problems. Its continuing violations against its Kurdish and Greek minorities, and its aggression in and occupation of nearly 40 percent of Cyprus certainly does not qualify it to be avidly promoted as a model for any new nation in Central Asia. The administration should not pursue a policy devised for the expediency of the moment. The administration must give due consideration to the long-term consequences that these policies could have.

Mr. Speaker, the world has witnessed historic changes over the last 3 years, with the strong call for democracy and freedom ringing out in the former Soviet bloc, Asia, and Central America. However, Cyprus remains one of the few countries in the world which is occupied by a hostile military force. It is high time, especially in light of all the changes which have taken place globally, that the rights and privileges to which the people of Cyprus are entitled to be restored. They deserve no less. Turkish troops should withdraw from Cyprus, and the United States should cease its assistance to the Turkish regime which continues to perpetuate this illegal and unjust occupation.

Mr. WEISS. Mr. Speaker, as I rise to mark the 18th anniversary of the Turkish invasion of Cyprus, I would like to call attention to the 35,000 Turkish troops that continue to occupy northern Cyprus.

Despite years of condemnation and international appeals for a complete withdrawal, Turkey is still the only nation that recognizes the legitimacy of this act. Attempts by the United Nations have been made to reach a comprehensive settlement based on their removal, but the Ankara Government refuses to yield in the name of peace.

Consequently, Cyprus remains a divided country. Its inhabitants have raised a generation of Turkish and Greek Cypriots who know only a life of constant fear and frustration. Their doubts and angst about the present and future only increases as the peace talks continue with no reports of measurable progress.

Strong U.S. participation, however, can be the critical link to ensuring that their hopes are realized. The work of U.S. Special Representative Nelson Ledsky is commendable, but particular emphasis should now be made to leverage a workable compromise from our Turkish ally.

Turkey is a top beneficiary of United States assistance, and military and economic aid is at the heart of our bilateral relations. If reasonable efforts fail to keep the Turkish Cypriot delegation at the negotiating table, then the United States must begin to add teeth to the peace process by reducing bilateral assistance.

In the end, however, U.S. influence depends on the will of the President to challenge our allies in order to do what is right. His committed leadership can make a difference in the lives of millions, but his neglect can mean that many more Cypriots will grow up under an umbrella of conflict for many more years to come.

I hope that as the next anniversary of this terrible event comes around, Americans can put aside this chapter of Cypriot history and help celebrate the beginning of a new period in Cyprus, where Greeks and Turks can live together as two communities under a single republic.

Mr. ROSTENKOWSKI. Mr. Speaker, I rise today to join with my colleagues in marking the 18th anniversary of Turkey's invasion of Cyprus. On this day in 1974, thousands of Turkish troops invaded the independent island nation with inhabitants of both Greek and Turkish descent. Today, over 35,000 Turkish troops still illegally remain and occupy a third of the country.

For years, Congress has publicly objected to Turkish occupation in Cyprus. Several U.N. resolutions have called for immediate withdrawal of the troops. Currently, the Secretary General of the United Nations is conducting peace talks to resolve the Cyprus conflict. Just last June, we in Congress stated our support for the United Nation's Cyprus peace initiative in the foreign aid authorization bill.

Mr. Speaker, for 18 years the inhabitants of Cyprus—both Turkish and Greek—have been forced to endure this illegal occupation of their small country. I join with my colleagues today in the message that all parties involved in this conflict must now work toward a peaceful resolution. Turkey should withdraw its troops and return the occupied land to Cyprus.

Mr. BROOMFIELD. Mr. Speaker, I want to commend Congressmen BILL GREEN and MIKE BILIRAKIS for their leadership in bringing this timely special order on Cyprus to the floor. I also want to thank the many Members of this body who have worked with me over the years on the challenging Cyprus issue. Your enthusiasm and commitment to peace is deeply appreciated.

This special order marks the 18th anniversary of Turkey's invasion of Cyprus. After all of these years, the problems of a divided Cyprus remain: 30,000 Turkish troops are still in the north; a United Nation-manned green line still separates the two communities on the island; the 200,000 refugees who were driven from their homes are still displaced; and peace negotiations designed to find a solution have, up to this point, produced little progress.

It has always been said that the key to solving the Cyprus dilemma is in Ankara. It is time for our friends in Turkey, who have benefited for so many years from our generosity, to help us find a way to resolve the Cyprus problem. As a gesture of good faith and a sincere commitment to peace, Turkey must withdraw its troops.

It is also time for Turkish authorities to put pressure on Rauf Denktash, the leader of the Turkish-Cypriot community, who has dragged his feet along the road to peace. He must be told that the window to finding a resolution of that longstanding problem is open, but not for long. As we work to shape the new international landscape, now is the time to work together to heal Cyprus.

Although the ongoing proximity talks are encouraging, in the past I have seen other talks fail. I continue to believe that removing those illegal troops would strengthen the negotiations and underline Turkey's commitment to peace on Cyprus.

I urge my colleagues in the Congress to work with us in crafting a solution to the problems on Cyprus.

Mr. CARDIN. Mr. Speaker, I rise today to join my colleagues, Representative MICHAEL BILIRAKIS, Representative BILL GREEN, Representative BOB MRAZEK, and Representative NANCY PELOSI, in remembering the 18th anniversary of the Turkish invasion of Cyprus. I wanted to join my colleagues in this special order in the hope that United States and world attention will be focused on the urgent need to find a peaceful solution to this difficult situation.

The eastern Mediterranean island of Cyprus has been divided since the Turks invaded Cy-

prus in 1974. A United Nations force currently patrols a line separating about 170,000 Turkish Cypriots in the north and 650,000 Greek Cypriots in the south.

The people of Cyprus, both Turkish and Greek, deserve to be free from the hostilities that have plagued their island for the last 18 years. The status quo—a divided nation—remains untenable. The presence of Turkish troops in Cyprus represents one of the last remaining occupation armies in Europe.

The collapse of the Soviet Union and changes in Eastern Europe have focused the world's attention of the need to address regional and ethnic conflicts. The world community, particularly the United States, must press for a peaceful resolution of the Cyprus problem before more lives are lost. The Government of Turkey must recognize that progress on Cyprus will impact United States foreign assistance in the future.

The time has long passed for the occupation forces to be withdrawn. Greek and Turkish Cypriots should be permitted to return to their homes and to determine for themselves the future direction of Cyprus.

Ms. PELOSI. Mr. Speaker, I rise today to commemorate the 18th anniversary of a continuing tragedy; the 1974 Turkish invasion of Cyprus and the 1,619 persons—including 5 American citizens—who remain missing to this day. Another year has passed and we are still no closer today than we were a year ago to seeing a peaceful and equitable resolution of this issue.

The discord between Greece and Turkey over Cyprus has ancient roots but its consequences are still very tangible today; 1,619 persons remain unaccounted for from the invasion. They are the victims of a repressive Turkish regime and a passive United States foreign policy.

The leader of the Turkish Cypriots, Mr. Rauf Denktash, is anxious to keep this matter closed, claiming dubiously that all those listed missing are dead. What is certain is that the Turkish Government has dragged its feet at every turn in assisting Ambassador Nelson Ledsky's and the Greek Cypriot people's efforts to verify Mr. Denktash's claim.

Mr. Denktash's callous dismissal of the agony that has held hostage the families of the missing for 18 years is further proof of the gulf of misunderstanding and distrust between Greeks and Turks, a divide which remains as Cyprus' greatest obstacle to peace.

Describing recently a United Nations plan to return Turkish-occupied territory to Greek Cypriots as ridiculous, Mr. Denktash has once again torpedoed the peace process. This incident is yet another indicator that the Turkish Cypriot Government is more interested in clinging to power than in returning justice to Greek Cypriots as well as peace to the entire nation.

If there is to be any chance of reaching an accord between Greek and Turkish Cypriots, an accounting of the missing must be made. Until this basic but crucial step is taken, the Greek Cypriot people can only mark the years and wait in futile silence for the missing to return home.

As traditional conflicts like the cold war recede one by one from the world stage, Cyprus remains a tragic reminder that in this modern

era ethnic conflict remains as a major obstacle to true world peace. The division of Cyprus continues. I join my colleagues today in calling on Mr. Denktash and the Turkish Cypriot Government to account for the missing and help lay to rest the passionate differences which have divided these two peoples for generations.

Mr. TRAFICANT. Mr. Speaker, the grave situation in Cyprus weighs heavily on my mind. This year marks the 18th year of Turkish presence in Cyprus. This little nation, that knew independence for only 14 years, from 1960 to 1974, continues to suffer occupation by Turkish aggressors. This truth poisons a region recently injected with progress, independence, and ambitions for democracy.

Mr. Speaker, in 1960, Turkey slipped into Greek-occupied Cyprus and overthrew the Cyprus Government. Not only did this aggression violate the U.N. Charter Article 2(4), but it also obliterated stipulations in the NATO Treaty.

Accompanying the unfortunate continuation of this occupation are the human rights violations institutionalized by the Turkish-controlled Cypriot Government. Thus far, 1,614 Cypriot citizens have suffered detention while 35,000 lost their homes to unjust confiscation, not to mention the 200,000 refugees created from the situation.

Turkey's intentions to gain membership in the European Community [EC] are another significant factor that complicate the reputation of the country. You see, Mr. Speaker, Turkey does not intend to vacate Cyprus and negotiations to find a peaceful settlement have been minimal. Thus, the Nation expects, somehow, that the nations of the world, now exuberant for progress, support Turkey in its illegal endeavors. Two documents, the U.N. Charter and NATO Treaty deem them illegal on three counts: human rights violations, aggression, and occupation of a sovereign nation.

I appeal to my colleagues to take note of the situation in Cyprus and use the resources at our disposal to further Cypriot ambitions to regain sovereignty. This 13th year of Turkish occupation of Cyprus should be a year to take the stick away from the Turkish bully. The current, international atmosphere demands it due to the chilling winds of international change and progress.

Mr. WAXMAN. Mr. Speaker, I rise in strong support of today's special order marking the 18th anniversary of Turkey's invasion of Cyprus. This is an opportunity for Members of Congress to reaffirm their commitment to fostering peace in this troubled region.

Eighteen years after the Turkish invasion of Cyprus, this island remains divided and under occupation, 35,000 Turkish troops continue to occupy a large portion of the island and thousands of Cypriots have been separated from their homes and property. Despite the changes that have dramatically transformed the European map during the past few years, Cyprus remains divided and in a state of potentially dangerous conflict.

As peace talks in the Middle East appear on the brink of major breakthroughs, the time is ripe for some type of resolution of the Cyprus problem as well. I urge President Bush to utilize his influence with Turkey to convince Ankara that it is time to find a solution to the division of Cyprus. A peaceful resolution of this

crisis would improve relations between Greece and Turkey, and between Turkey and the entire European Community.

A just settlement must acknowledge the entitlement of the Greek Cypriots, who compose 80 percent of the population, to the fruits of majority rule. At the same time, a resolution must guarantee the protection of the rights of the Turkish Cypriot minority.

Mr. Speaker, the United States must make a concerted effort to bring the Cyprus issue to the forefront of foreign policy concerns, encourage and participate in a conference between all legitimate parties, and most importantly, bring peace and democracy to the people of Cyprus.

Mr. MANTON. Mr. Speaker, I rise today to join my colleagues in this important special order marking the 18th anniversary of Turkey's invasion of Cyprus. At the outset, I want to thank my colleague Mr. BILIRAKIS for his hard work in organizing time each year to commemorate this event. I am proud to represent New York's Ninth Congressional District which has one of the largest Greek constituencies in the Nation. I have always been a strong supporter of Greece, and I know there are two issues of particular concern to Greek Americans today: the continuing division of Cyprus and the Skopjan people's claim of the name Macedonia.

The division of Cyprus now has the dubious distinction of being one of the few disputes which has not moved closer to resolution in the aftermath of the cold war. Since Turkey invaded Cyprus in 1974, 1,619 people including 8 Americans last seen alive in the Turkish occupied areas of Cyprus have never been accounted for. It's time for the suffering of the families of the missing to end. It's time for the Turkish leadership to provide some answers.

The so called green line has divided the Nation of Cyprus for far too long. Like the Berlin Wall, the time for the green line has passed. Its time to reunite the families of Cyprus and mend the wounds which have divided a people.

I am proud that 2 weeks ago the delegates to the Democratic Convention adopted a plank in our platform calling for a renewed commitment to achieve a Cyprus settlement and restoring to the forefront of our diplomatic agenda the goal of a solution to the Cyprus problem. And just a few blocks from Madison Square Garden, another important effort to end the Cyprus problem began when the United Nations sponsored Cyprus peace talks resumed under the auspices of Secretary General Boutros Boutros-Ghali.

I want to commend the Secretary-General for his stalwart dedication to extending the talks for as long as it takes to bring about a solution. I want to take this opportunity to wish Cyprus President George Vassiliou Godspeed in these talks. Today is a time of great hope for those of us who have waited for an end to the intractable Cyprus problem. Those of here today know President Vassiliou has worked tirelessly to bring about this chance for a resolution to this problem. As has often been the case, Turkish Cypriot Leader Rauf Denkash now looms as the lone roadblock in the road to peace.

For years those of us in the Congress who have favored taking a firm stance against Tur-

key to resolve this issue have been told Turkey's strategic position as a NATO ally required us to be patient in the interest of preserving the strength of the alliance. If the current round of talks fail, I believe there are steps we in the United States should take, including the withholding of financial assistance to force action from Turkey.

Another issue of imminent concern is the former Yugoslavian Republic of Skopje's claim to the name Macedonia. I am proud to have introduced House Concurrent Resolution 313, a resolution expressing the sense of the Congress that the United States should not recognize the Government of the former Yugoslavian Republic of Skopje until that Government adopts constitutional and political guarantees ensuring that it has no territorial claims toward Greece and refrains from the use of name Republic of Macedonia which implies a territorial claim against our ally Greece. We cannot forget that it was Marshal Tito who first applied that Macedonian name to the region of Skopje as part of his imperialist plan to expand his empire into Greek territory. We cannot forget that the claim of the Macedonian name by the Yugoslav people has painful memories for the people of Greece. Furthermore, there is strong evidence that the expansionist interests of the region of Skopje continue to be a threat to Greece. It is important that the United States oppose the recognition of a Yugoslavian entity bearing the name Macedonia which represents a threat to Greece.

I am heartened that the European Community has refused to recognize Skopje under the name Macedonia. I know this breakthrough is the result of the combined hard work by Greek Prime Minister Mitsotakis, the strong leadership of the Greek American community, Archbishop Iakovos, Congress and the President. We must remain united in our opposition to a Yugoslavian Macedonia.

Mr. DELLUMS. Mr. Speaker, today I rise to mark the 18th year of Turkey's occupation of Cyprus. Since 1974, almost two decades now, the people of Cyprus have been forced to live with foreign troops on their soil. Peace must now come to Cyprus.

Yet, to even begin the healing process, Turkey must end the occupation by withdrawing its forces immediately and then turn its attention to the problem of missing persons.

Humanity dictates that Turkey pursue all possible means in accounting for those people who are missing as a result of the invasion and occupation. It is completely unacceptable that no information has been made available on the over 1,600 Cypriots missing since 1974.

No longer should Turkey keep the people of Cyprus from exercising their right to live in a united and peaceful homeland.

Mr. MRAZEK. Mr. Speaker, I want to thank my colleague from New York, Mr. GREEN, for organizing this important special order. It is important to let the people of Cyprus know that we have not forgotten their plight; it is important to let the Bush administration know that this is a top priority foreign policy issue for the Congress; it is especially important that we let the Government of Turkey know that its illegal occupation of a sovereign nation is just as reprehensible and unacceptable today as it was 18 years ago.

I had hoped that this special order would not be necessary this year. I had hoped that the exhaustive efforts of the U.N. Secretary General—first Mr. Perez de Cuellar and now Mr. Boutros-Ghali—would bear fruit and bring about at least the beginning of a permanent resolution to the division of Cyprus. But that has not happened.

It has been more than 1 year since President Bush stood before the members of the Greek Parliament and pledged to them that the United States would do all it could to help settle the Cyprus problem "this year," meaning in 1991. Unfortunately, the administration has not lived up to that pledge.

While we should all applaud the efforts of our Special Coordinator for Cyprus, Mr. Nelson Ledsky, the fact is that the best—and perhaps the only—hope for meaningful progress on ending the forced division of Cyprus, is sustained, active involvement at the highest levels, including the President and Secretary of State.

The fatal flaw in the administration's approach to Cyprus is that it continues to shy away from putting real pressure on Turkey to withdraw its troops from Cyprus and to cooperate fully with the U.N. effort.

Turkey continues to hold the key to progress on Cyprus. Ultimately, of course, this matter must be settled by the Greek and Turkish Cypriots themselves. But the Turkish Government, which props up Turkish-Cypriot leader Rauf Denkash, and tens of thousands of Turkish troops stand squarely in the way of progress. If Turkey withdrew its occupation troops, and stopped its financial and diplomatic support for Rauf Denkash, the Greek and Turkish-Cypriot communities would, in my opinion, rapidly reach a settlement based on the outlines established by the U.N. Secretary-General.

The administration has leverage to bring to bear on Turkey. The United States has given Turkey more than \$6 billion in military aid since the 1974 invasion, and that aid has facilitated, if not encouraged, the continued occupation by Turkish troops. For fiscal year 1993, the administration has proposed \$621 million in security assistance for Turkey, which would make it the third largest recipient of United States aid in the world, surpassed only by Israel and Egypt. And, the administration once again has proposed to break the traditional 7 to 10 ratio of military aid for Greece and Turkey.

Instead of freely feeding the Turkish military appetite, we should be choking it, or at the very least, making Turkey pay for its supper, with cooperation on Cyprus.

I have joined the gentleman from New York [Mr. GREEN] and the gentlelady from California [Ms. PELOS] in introducing a bill, H.R. 4399, that would suspend aid to Turkey until it complies with the United Nations resolutions on Cyprus and withdraws its troops. The bill also lays out a series of other steps Turkey should take to facilitate resolution of the division of Cyprus.

I encourage all of my colleagues to send a message to the Government of Turkey by co-sponsoring this legislation. The so-called strategic rationale for overlooking Turkey's intransigence on Cyprus and its abominable human rights record has ended along with the cold

war. Let's let the Government of Turkey know that its actions on Cyprus will determine the future state of relations with the United States.

Mr. MAVROULES. Mr. Speaker, 18 years ago today, the Government of Turkey, in a blatant disregard for international law and standards, launched an invasion of the independent, sovereign State of Cyprus. Taking advantage of political turmoil in Greece, the Turks landed tens of thousands of troops in the eastern part of the island. These forces swept through Cypriot residences, kidnapping over 1,600 Cypriots and Americans and displacing thousands more.

On the anniversary of this infamous event, it is of the utmost importance to send a signal to the Turkish Government that the current situation in Cyprus is unacceptable. Thousands of missing civilians, including a number of Americans, must be accounted for. Hundreds of Cypriot families must be allowed to return to their homes. A free and democratic government must replace the military dictatorship that rules the eastern portion of Cyprus. The human, political and religious rights of all Cypriots must be guaranteed.

Unfortunately, Turkish Cypriot leader Rauf Denkash has constantly refused to work to resolve the conflict, and if Turkey's continued maltreatment of its own minorities is any indication, relief for Cypriots cannot be expected in the near future.

It is upon this inauspicious note that we rise today to condemn the 1974 invasion of Cyprus and to demand the immediate withdrawal of Turkish troops from Cypriot soil. The leadership of Turkey must be held accountable for the irresponsible and immoral occupation of Cyprus. At the very least, Mr. Speaker, the 7 to 10 aid ratio must be maintained. We cannot allow the Bush administration to bend or break the ratio with increased aid to Turkey.

In addition to 7 to 10, if Mr. Denkash once again scuttles international efforts to find a settlement, it is vital that Congress pass H.R. 4399. This act prohibits aid to Turkey until it complies with United Nations resolutions and resolves the crisis in Cyprus. The time has come to back up years of rhetoric with concrete action. The Turkish Government apparently doubts the resolve of Congress to find a resolution to the controversy, and it is our duty to settle these doubts.

On a more uplifting note, current U.N. negotiations, involving one-on-one meetings between Secretary-General Boutros-Ghali and Cypriot President Vassiliou, and between the Secretary-General and Turkish Cypriot leader Rauf Denkash, are reported to be constructive. While the negotiations remain embargoed, news reports indicate that a breakthrough could be imminent. It is the hope of all those who rise today that at this time next year we will be celebrating the freedom of all Cypriots.

Mr. LANCASTER. Mr. Speaker, the island republic of Cyprus was split 18 years ago when Turkish troops invaded, ostensibly to quell unrest and protect ethnic Turks. The troops are still there and Turkey has created a nation on the northern third of Cyprus which is recognized by no other sovereign nation. Yet, no people on earth have shown a greater respect for the rule of law and the peaceful pursuit of justice than the Cypriots.

Although the greater part of Cyprus' natural resources are located in the northern portion of the island, the nation has managed to prosper and to increase its status as a center for trade, communications, commerce, tourism, and industry.

Cyprus has been a good and loyal friend to the United States. When our marines were killed in the Beirut bombing, it was Cyprus which opened its arms and allowed their battered remains to be brought into their country for processing and identification. None of our other friends in the Middle East would allow this. And there is a good reason why news reports from the Middle East almost invariably have the Nicosia dateline. Nicosia is the only safe and stable operating place for permanent news enterprises in the region.

Many prospering Cypriot business leaders were destitute when they were driven from their homes and communities in the north and became refugees in their own land. They restored themselves and helped to uplift their nation the old fashioned way—through honest, hard work. Today it seems that they are being ignored and allowed to suffer injustice simply because they are hard working and self-sufficient.

The demands of the people of Cyprus for reunification of their nation have not slackened during 18 years of Turkish occupation of the north, and, if there is any change, it is that the determination to be one nation again is greater than it was after the 1974 occupation.

Mr. Speaker, many Members of Congress and our President have called for resolution of the Cyprus-Turkey impasse on the occupation again and again. Our President's concern has been a long time in coming, and a short time staying.

The people of this beautiful island republic in the Aegean have used all the available tools of decent, democratic, lawful negotiation to get our help and the help of the United Nations. They deserve, for their human decency and respect for law, far better than we have yet managed to give.

Mr. Speaker, we have the means, in the \$800 million foreign aid package to Turkey, to right a great wrong, and we can do it peacefully, if we will only summon the will.

Mr. OWENS of Utah. Mr. Speaker, 18 years ago, Turkish troops flooded the shores of Cyprus, claiming the lives of more than 4,000 Greek-Cypriots, and casting out 200,000 more from their homes. More than 1,600 are still missing. Today, barbed wire divides the country. Concrete barricades and reinforced checkpoints dot the green line. Nicosia remains divided. I wish I could join my colleagues today in remembering this invasion as a tragic event of 1974 alone. However, the events of 18 years ago linger on Cyprus, as do 30,000 Turkish troops and 60,000 Anatolian settlers.

The world has transformed since then. The monumental changes sweeping the Soviet Union and eastern Europe continue to reshape or world view and redefine the very meaning of our national security. Just as the Berlin Wall entered our lexicon as a symbol of the cold war, so has its fall signalled a new age.

From the former Soviet Union to Latin America, the Middle East to South Africa, the machinery of political reconciliation is in mo-

tion, and many conflicts which have raged for decades are finally drawing to an end.

If the astounding changes in the world over the last few years mean anything, they mean that this administration can afford to recognize Turkey for what it really is and put Cyprus where it belongs, at the top of our foreign policy agenda. It's time for us to stop sacrificing justice in pursuit of a cold war conception of Turkey's strategic value.

Some say it's more difficult to bring pressure to bear in a conflict where two friends are involved. I believe that because Greece and Turkey are both NATO allies, the United States has a unique opportunity to serve as an interlocutor.

I have watched and waited since the first Makarios-Denkash meeting in 1977 through three rounds of talks these last 2 years. Like so many, I have been disappointed by past failures and angered by Turkey's intransigence.

In order for the green line to disappear, the United States must be an active participant. We must embrace our responsibility and put some pressure to bear on Ankara, where the root of the problem really lies. The commendable efforts of President Vassiliou are essential, but he cannot carry the process by himself. The continued work of the U.N. Secretary-General is crucial, but he cannot alone compel Mr. Denkash to discuss these issues in good faith.

The increased involvement of the Security Council is cause for optimism. Indeed Boutros Boutros-Ghali, Secretary-General of the United Nations, is personally conducting the negotiations. Perhaps, this time around, the talks will bear fruit.

Process of reconciliation. In order for this to happen, however, we must redouble our efforts to raise public consciousness of the Cyprus conflict, and prevent it from slipping further into obscurity.

Mr. Speaker, the President's visit to Greece and Turkey, as well as his meeting in with President Vassiliou, signify what many of us in Congress have been urging for a very long time: that the administration is heightening the priority of the Cyprus dispute on its foreign policy agenda. This a welcome and positive development, and one which—with continued congressional scrutiny—will complement the U.N. Secretary-General's good offices mission.

Many of us have argued over the years that the solution to this problem lies in Ankara. Though Turkey has yet to be forthcoming on several substantive issues, including refugees and exchange of territory, it is encouraging that Prime Minister Dimeral has properly stepped forward in dealings with the United Nations. With vigorous encouragement from the United States, along with the flexibility and goodwill to offer a meaningful proposal, Turkey could take the steps necessary for an international meeting to convene at an early date.

Mr. Speaker, today, there is reason for hope. Negotiations, while not direct between the parties, continue. I am sure we all agree that this is a promising first step. Reflecting on past failures without casting a shadow on the current peace process, I am compelled to say that the result of the negotiations is what is important.

Will Turkey remove its troops? Will Turkey allow a free and independent Cyprus to determine its own course, through free and democratic elections? Will Turkey cooperate with efforts to find the 1,600 missing Greek-Cypriots.

Like many of my colleagues, I hope that the negotiations will produce fair and just answers to these questions. Either way, whether there is a negotiated settlement or a process devoid of substance, the United States must remain committed to implementing security council resolutions, and that means, whether Turkey is negotiated out or forced out, Cyprus will again be free and independent.

Mr. VISCLOSKEY. Mr. Speaker, I join my colleagues in this special order today to call attention to the 18th anniversary of the illegal Turkish invasion and occupation of the Republic of Cyprus. I would also like to acknowledge the efforts of Rev. Evagoras C. Constantinides, Rev. Peter Georgacakes, and Rev. Constantine Aliferakis. These three men have worked tirelessly to promote public awareness of the Cyprus problem in northwest Indiana and keep me advised of developments in the situation.

In July 1974, the Turkish invasion of Cyprus resulted in the deaths of over 5,000 Greek Cypriots, created over 150,000 refugees, and left 1,619 others—including 5 Americans—missing and unaccounted for. Today, after numerous United Nations Security Council resolutions calling for their removal, thousands of Turkish troops remain in Cyprus and the island nation is still divided. Indeed, the area of Cyprus under Turkish occupation is recognized only by the Turkish Government as an independent state.

Cyprus' President George Vassiliou has consistently indicated his desire to resolve the dispute, either by agreeing to U.N. resolutions or by initiating proposals for unification. I am hopeful that the ongoing U.N.-sponsored Cyprus peace talks will be successful. However, to date, I am concerned that the major obstacle to a peaceful settlement of the Cyprus problem has been the Government of Turkey, which has balked at overtures from the United Nations, the European Community, and the United States seeking to resolve the issues of territorial concessions, the status of displaced persons, and the structure of the Federal Government.

As a member of the Foreign Operations Subcommittee of the Appropriations Committee, I have worked to aid Cyprus and bolster the U.N. efforts to help bring about a final settlement. In May, I wrote to Congressman OBEY, chairman of the Foreign Operations Subcommittee, to request a \$15 million Economic Support Fund [ESF] grant for Cyprus in the fiscal year 1993 foreign operations appropriations bill, H.R. 5368. These funds are designed to bring together the Greek and Turkish-Cypriot communities through cooperative bicomunal projects and provide scholarship money to Cypriot students. In addition, I asked the chairman to include report language in the bill urging the President to support U.N. efforts to promote a lasting Cyprus settlement.

I am pleased to report that, on June 25, I supported, and the House of Representatives approved, H.R. 5368, including the \$15 million ESF grant for Cyprus and language similar to that which I suggested regarding the U.N. ef-

forts to resolve the Cyprus situation. In a related matter, in October 1991, I joined 170 of my colleagues in the House in sending a letter to the President, urging him to continue to give priority to a just and viable solution to the Cyprus problem.

In closing, I would like to commend my colleagues, MICHAEL BILIRAKIS, BILL GREEN, NANCY PELOSI, and BOB MRAZEK for their leadership and for convening this special order today. It is my sincere hope that the U.N.-sponsored negotiations will be successful so that very soon we can rejoice in the peaceful resolution of the Cyprus problem rather than lament another year of illegal occupation.

Mr. TOWNS. Mr. Speaker, I join with many of my colleagues in supporting the special order marking the 18th anniversary of the Turkish invasion of Cyprus. It is regretful that such action is necessary after nearly two decades of Turkish troop occupation. However, the protracted nature of this conflict is all the more reason for Congress to continue the near unanimous support it has demonstrated for Cypriot reunification.

Thankfully on this anniversary, there is reason to be hopeful that a peaceful resolution is forthcoming. In U.N. negotiations, both sides agree Cyprus should be divided into two semi-autonomous zones, having a central Federal Government and legislature which would be responsible for international affairs. Other sensitive territorial issues have yet to be agreed upon and will likely set the tone for independent relations between Turkish and Greek Cypriots. The ongoing ethnic violence in the former republic of Yugoslavia should be a lesson to us all as to what could happen if ethnic issues are not adequately addressed.

All of us have hoped that this matter would have been resolved by now. But of course, matters such as Cyprus have heretofore been largely overshadowed by cold war relations. While it is decidedly encouraging to see U.N. negotiations happening, we must remain firm in our denunciation of the Turkish occupation. We can voice our disapproval through legislative initiatives such as H.R. 4399, which would withhold United States military and economic assistance from Turkey until it withdraws its troops. As a cosponsor of this legislation, I would urge my colleagues to demonstrate their commitment to full Cypriot sovereignty by becoming cosponsors as well.

Mr. COYNE. Mr. Speaker, I want to join today in a reaffirmation of congressional support for a peaceful end to the presence of Turkish military forces in Cyprus.

Last year I noted several factors which gave rise to renewed optimism that a peaceful resolution can be found to this problem. The end of the cold war, the rise of European cooperation, and the successful cooperation of Greece and Turkey in the international effort to turn back Iraqi aggression all opened doors to the possibility of reaching a long sought resolution to Turkish military domination over much of Cyprus.

Unfortunately, 18 years after Turkish military forces invaded the island of Cyprus, little has changed. The world has seen few results from the commitments made by the Turkish Government and Turkish Cypriots to negotiate in good faith issues such as territory, constitutional arrangements and the status of refugees

since 1977. Efforts by the United Nations to convene an international conference on Cyprus have been sidetracked. Diplomatic attempts to resolve disputes over the future of Cyprus have borne little fruit.

It is regrettable that Cyprus continues to be the issue which has separated our partners in NATO, Greece, and Turkey. The post-cold war era offers so much promise for finding a solution to the issue of Cyprus. There is little excuse for the failure to take advantage of this opportunity for resolving a longstanding dispute between two of our friends.

It seems clear that the United States must take a more active role in promoting a resolution to Cyprus. The United States should work to ensure that this issue is not once again relegated to the diplomatic back burner. Since President Bush stressed his strong relationship with Turkey's President Ozal during the Persian Gulf war, the administration should endeavor to communicate the fact that progress on Cyprus is vital to continuing a warm relationship.

The United States Government must also consider whether the current level of foreign assistance to Turkey is warranted given the lack of progress on a resolution to Cyprus. I believe that the House acted properly recently in passing a fiscal year 1993 Foreign Assistance Act which eliminate military assistance funding for Turkey, as well as Greece and Portugal.

Mr. Speaker, I am pleased that the House is taking the time to focus attention on the need for a resolution to the dispute over Cyprus. The time has come for the removal of all foreign troops from Cyprus. An independent and sovereign Cyprus is in the best interest of all of its neighbors in the Mediterranean.

Mr. CARDIN. Mr. Speaker, I rise today to join my colleagues, Representative MICHAEL BILIRAKIS, Representative BILL GREEN, Representative BOB MRAZEK, and Representative NANCY PELOSI, in remembering the 18th anniversary of the Turkish invasion of Cyprus. I wanted to join my colleagues in this special order in the hope that United States and world attention will be focused on the urgent need to find a peaceful solution to this difficult situation.

The eastern Mediterranean island of Cyprus has been divided since the Turks invaded Cyprus in 1974. A United Nations force currently patrols a line separating about 170,000 Turkish Cypriots in the north and 650,000 Greek Cypriots in the south.

The people of Cyprus, both Turkish and Greek, deserve to be free from the hostilities that have plagued their island for the last 18 years. The status quo—a divided nation—remains untenable. The presence of Turkish troops in Cyprus represents one of the last remaining occupation armies in Europe.

The collapse of the Soviet Union and changes in Eastern Europe have focused the world's attention of the need to address regional and ethnic conflicts. The world community, particularly the United States, must press for a peaceful resolution of the Cyprus problem before more lives are lost. The Government of Turkey must recognize that progress on Cyprus will impact United States foreign assistance in the future.

The time has long passed for the occupation forces to be withdrawn. Greek and Turk-

ish Cypriots should be permitted to return to their homes and to determine for themselves the future direction of the Cyprus.

Mr. MARTINEZ. Mr. Speaker, I would first like to commend my distinguished colleague, MICHAEL BILIRAKIS, for organizing this special order on Cyprus. Mr. BILIRAKIS has been a tireless champion in drawing national and international attention to the tragic situation in Cyprus.

Mr. Speaker, last week marked the 18th anniversary of Turkey's brutal invasion and continued occupation of northern Cyprus. For 18 years the people of Cyprus have suffered the indignities and pain of division. For 18 years peace and unity has eluded this island nation. For 18 years Turkey has flouted and violated international law with impunity.

Turkey still has some 29,000 troops occupying 40 percent of the country. There are over 60,000 Turkish colonists in northern Cyprus, encouraged to settle there by the Government of Turkey. And there are still 200,000 Greek Cypriot refugees, victims of Turkey's aggression.

Last August, flush with the victory over Iraq, President Bush declared the new international challenge for the United States to be Cyprus. The President pledged to break the paralysis in U.N. sponsored negotiations and help settle the Cyprus problem by the end of 1991. Unfortunately, the President's best intentions faltered under the weight of Turkey's intransigence.

Mr. Speaker, it is going to take more than ceremonial rhetoric to break the political impasse that has torn this eastern Mediterranean island apart. It is time for the United States to set aside any inhibitions about tackling the Cyprus problem head on. It is time for the President to exert the full influence of the United States of America to persuade Turkey to heed international law and withdraw its occupation force from northern Cyprus. And it is time for the people of Cyprus, Greek and Turkish Cypriots alike, to be given the opportunity to live in peace.

I hope that this time next year we will be celebrating the just and peaceful resolution of the Cyprus problem instead of observing the 19th anniversary of Turkey's invasion of the country. This can only come to fruition, however, with the resolute determination of the President of the United States to apply the necessary pressure on the Government of Turkey. If we have the interest and willpower to move on this conflict, we can act as a positive catalyst in helping to bring about a constructive and permanent resolution to the Cyprus problem.

Mr. AUCCOIN. I'm glad to participate in this special order on Cyprus, because it's time to let Turkey know, in the strongest possible terms, that the United States demands justice for Cyprus.

Last week marked the 18th anniversary of the illegal Turkish invasion of Cyprus.

My friend, 18 years is too long to wait for an end to the Turkish military occupation and colonization of two-fifths of Cyprus.

Eighteen years is too long to wait for information about 5 Americans and 1,614 Greek Cypriots who were abducted by invading Turkish forces.

Eighteen years is too long to wait for an end to this egregious violation of international law and the U.N. Charter.

In the years since the invasion, many of us in Congress have urged the executive branch to adopt a Cyprus policy that puts the United States on the side of human rights and international law.

Now that we have won the cold war, even the architects and defenders of past U.S. policy toward Cyprus must admit that there is no longer any excuse for looking the other way at Turkey's flagrant violation of international law. They must admit that Eugene Rossides is absolutely right when he calls Cyprus "the acid test of the new world order."

We need a new Cyprus policy. That's why I've cosponsored H.R. 4399. This bill would prohibit aid to Turkey until the President certifies to Congress that:

First, Turkey has released or accounted for 5 Americans abducted by the Turkish invasion forces in 1974 and 1,614 Greek Cypriots who have been missing since the invasion;

Second, the churches in occupied Cyprus that were converted to mosques in violation of the Geneva Conventions have been restored to their original condition for worship;

Third, all Turkish military forces in excess of those permitted by the 1960 Treaty of Alliance and all illegal Turkish colonists have been withdrawn from Cyprus;

Fourth, Turkey has returned the Famagusta/Varosha area to the Government of Cyprus;

Fifth, negotiations have resulted in progress towards establishing a democracy in Cyprus; and

Sixth, Turkey is in compliance with U.N. Charter, specified U.N. resolutions, and the North Atlantic Treaty and is not engaged in human rights violations.

We all hope for positive results from the current negotiations led by U.N. Secretary General Boutros Boutros-Ghali. Unfortunately, Turkey's past record of stonewalling and intransigence gives us little reason for optimism.

I believe that Congress can aid the Secretary General's negotiating efforts by passing H.R. 4399. Let us send this strong signal that we demand justice for Cyprus. Let us prove that we are ready to meet this challenge of the post-cold war era.

Mr. TORRICELLI. Mr. Speaker, last week marked the 18th anniversary of the Turkish invasion of the independent Republic of Cyprus. For nearly two decades, this island nation has remained divided geographically, culturally and socially while the world community works unsuccessfully to promote a resolution of the conflict. It is time for the stalemate to end.

For the second time this year, the United Nations has initiated a round of talks between Turkish and Greek Cypriots. Secretary General Boutros Boutros-Ghali has worked diligently to draw up a plan for a negotiated settlement to this ongoing problem. His efforts have been met by cooperation from Greek Cypriots on this issue. Unfortunately, it has become apparent that Turkish Cypriots continue to be intransigent.

Today, 35,000 illegal Turkish troops occupy the island and a "Green Line" divides Turkish and Greek Cyprus. For 18 years, 200,000 Greek Cypriots have remained as refugees in their homeland, dislocated by the "Green Line" and unable to return to their homes. What is equally tragic is that over 1,600 Greek Cypriots are missing and unaccounted for in

Turkish Cyprus; the whereabouts of 5 Americans are also unknown.

How much longer must this human tragedy last? At a time when the world community is uniting to resolve international disputes, we are unable to achieve peace in Cyprus. It is important that the current negotiations in New York succeed. As a member of the Friends of Cyprus Working Group, I call upon my congressional colleagues to join us in addressing this issue and using our good offices to pressure the Turkish and Turkish Cypriot leadership for the compromise necessary to achieve a just and lasting solution to the Cyprus problem. With regional turmoil breaking out throughout the former Eastern bloc, we cannot let this opportunity for peace on Cyprus fail.

Mrs. BOXER. Mr. Speaker, it has been 18 years since the Turkish invasion of the island of Cyprus. Since that time, the Berlin Wall, dividing East and West Germany has fallen, but the awful "Green Line" dividing Greek Cypriots in the south from Turkish Cypriots in the north has remained. The "Green Line" has for too many years separated family members and forced many Cypriots to become refugees in their own homeland.

It is time to take down this 18-year-old wall. The Cypriot people have suffered long enough.

High level meetings on the Cyprus issue are being held under the guidance of the U.N. Secretary General. The negotiations are at a serious and crucial stage. Should Turkey and the Turkish Cypriot regime not come forward with positive substantive proposals at these meetings, the United States must apply increased pressure on the Turkish Government in order to accomplish mutual peace and prosperity in this troubled region.

One way to accomplish this would be to eliminate economic and military assistance for Turkey unless the Turkish Government withdraws its military forces, returns the area of Turkish Cyprus to the Government of Cyprus, and takes positive steps toward revoking the illegal declaration of an independent state in northern Cyprus. This strategy is outlined in H.R. 4399, which I am a cosponsor of.

At a time when the world is moving forward a new spirit of cooperation, the United States has the opportunity to help the people of Turkey and Cyprus join in this new spirit. The United States alone cannot end the problems in Cyprus, but progress toward the unification of this country can be made if our government does what is necessary to encourage Turkey to change its present policy.

Mr. BLILEY. Mr. Speaker, 18 years ago, thousands of Turkish troops invaded the Republic of Cyprus. Today, approximately 35,000 Turkish troops still remain in Cyprus.

This illegal seizure and occupation has been discouraged by this body and the United Nations since the beginning. The United States must help the United Nations and NATO resolve regional disputes, such as this one, that have long been overshadowed by the Soviet threat. Although Turkey has been an important friend in the Middle East region, we should not allow our ties to influence our actions. We have a responsibility to the world community to work for peace, and to end aggression. Above all, we must continue to help enforce a standard of international law as we have for decades.

Most recently in Kuwait, the United States led an international coalition against the invaders from Iraq in an effort to show the world that aggression and violations of international law would not be tolerated. We must carry on our campaign against violations of international law in every area of the world.

We must not condone violations by any country, even our allies. The Turkish occupation of Cyprus has been responsible for countless human rights abuses and years of oppression. The Greek Cypriots have suffered long enough, the time has come to end this conflict. I understand that Turkey has been an important ally of the United States for many years, but we can not allow this fact to stand in the way of action.

The occupation of Cyprus must be terminated as expeditiously and as easily as possible. We must be prepared to take action against Turkey so that this matter is resolved. In the past we have continued to give them aid while attempting to negotiate a fair settlement. This has had little success to date. The time may have come for the United States to consider stronger actions to induce a settlement.

Mr. Speaker, I realize that this is an extremely important matter, and I hope that any action taken by this Congress should be in the name of democracy. We must strive toward the ultimate goal of sovereignty for the Republic of Cyprus, and I urge my colleagues to join me in support of the restoration of a true democratic government in Cyprus.

Mr. GALLO. Mr. Speaker, I rise today with my distinguished colleagues to recognize and express my strong opposition to 18 years of international injustice on Cyprus. The illegal Turkish occupation of Cyprus violates not only the U.N. Charter and numerous international laws, but also the rights and freedom of thousands of Greek Cypriots.

It is long-past time to recognize the oppression of these innocent people and their violated nation, and take the appropriate action to express our determination that a peaceful resolution to this conflict be speedily reached. That is why I have cosponsored H.R. 4399, legislation that prohibits all military and economic aid to the Turks until this conflict is resolved.

After nearly two decades, the United States must make the Turkish Government understand that its actions will be tolerated no longer. In short, if their military occupation of Cyprus does not cease immediately, our economic assistance will.

Since World War I, Greece has consistently been a supportive ally to the United States. We, in turn, must not turn our backs on the Greek Cypriots in their time of need. I urge my colleagues to support H.R. 4399. As Americans, we enjoy the benefits of freedom and a working democracy every day. Don't we owe it to the people of Cyprus to support the restoration of their civil liberties and end the conflict that has, for so long, divided their nation?

Mr. ERDREICH. Mr. Speaker, July 20 marked a dark anniversary for the people of a tiny island nation in the eastern Mediterranean. Eighteen years ago, the Republic of Turkey invaded Cyprus.

It is impossible to calculate the toll in human suffering since that fateful day. Countless lives were lost, women assaulted, citizens denied

fundamental liberties and imprisoned without cause. Over 180,000 Greek Cypriots were expatriated from their homes and land. What little that remained was stolen. Turkey now stands alone in recognizing the puppet government of the Turkish Republic of Northern Cyprus.

This puppet government now occupies over 37 percent of the land mass while having only 19 percent of the island's total population. Today Cyprus remains a land divided by a border enforced by the United Nations with 35,000 troops on the Turkish side and 13,000 troops on the Greek side. All are at war's doorstep, just as they have been since 1974.

The United Nations has preserved a ray of hope for this region torn asunder. One plan, proffered by the United Nations with U.S. support, is to promote a new Federal republic on the island that would be bicommunal, bizonal, nonaligned and an independent state. Under the plan, both regions would pledge not to move toward union with any other nation. The U.N. Charter—article 2(4)—states that, "All members shall refrain in their international relations from the threat or use of force against territorial integrity or political independence of any state."

Currently, under U.N. auspices, indirect talks are being held between the Turkish Cypriot leader, Mr. Rauf Denkash, and Mr. George Vassiliou, the Greek-Cypriot President of Cyprus. This is, Mr. Speaker, the last best chance for peace in Cyprus. U.N. Secretary-General Boutros Boutros-Ghali has already stated that if the current round of talks fails, the United Nations may withdraw peacekeeping forces from the region.

Such an action, Mr. Speaker, could result in the outbreak of hostilities between two NATO allies and further plummet relations between these two powerful nations to the depths of those currently experienced in Bosnia.

I urge Mr. Denkash to rescue this region from the precipice of war. This is an opportunity to overcome the misunderstandings of the past. It is time for the wound which scars Cyprus to heal and allow families and friends on both sides of that island to be reunited in peace.

Nothing less than the stability of Europe and to the continuance of world peace is at stake.

Mr. Speaker, I submit that if no progress is made toward uniting Cyprus, the decision must be made to withhold future Turkish aid. Anything less would be perceived as tacit acceptance of Turkey's authority in Northern Cyprus.

Ms. HORN. Mr. Speaker, I rise today in strong support of the initiatives taken by this body to withhold military grants to Turkey. This action reflects my view that Turkey should not receive United States military assistance while Turkish troops remain in Cyprus. In fact, I am a cosponsor of legislation that withholds military and economic aid to Turkey until its illegal occupation of Cyprus ends.

I believe negotiations are unlikely to begin while Turkey maintains a troop presence on Cyprus. Through letters to the President and legislation I have supported, I have stated my view that Turkish troops should be removed from Cyprus. Turkey's disregard for United Nations resolutions calling on the withdrawal of their armed forces and its continued viola-

tions of basic human rights should not be rewarded with continued United States financial assistance.

The President has within his power the ability to bring Greece and Turkey to the bargaining table. Last year, President Bush met with President Ozal and there was hope he would impress upon the Turkish leader the necessity of resolving Cyprus. Unfortunately, this did not happen.

It has now been 18 years since Turkish troops invaded Cyprus. Through almost two decades of Turkish occupation of Cyprus, there has been little movement toward a peaceful resolution of this conflict between Greece and Turkey. Today, that situation has changed. With the cold war over, I believe we now have a unique opportunity to settle this dispute.

#### GENERAL LEAVE

Mr. BILIRAKIS. 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 tonight.

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

There was no objection.

□ 2120

#### REACHING FOR THE STARS

The SPEAKER pro tempore (Mr. VALENTINE). Under a previous order of the House, the gentleman from Florida [Mr. BACCHUS] is recognized for 60 minutes.

Mr. BACCHUS. Mr. Speaker, tomorrow, for the first time in 14 months, this House will debate whether to build space station *Freedom*. We will hear once again the same old, weary rhetoric of those who would throw away the best of our past and the best of our future by refusing to build the space station. We will hear once again the tired arguments that the space station does not do enough science or does not do quite the same kind of science as some scientists say they want. We will hear that robots are better than human beings for exploring space and that we really do not need a manned space program. We will hear from some that we simply cannot afford to be space pioneers anymore, given all the problems we have and all the huge budget deficits that we face here of Earth.

Mr. Speaker, some say we simply cannot afford to build a space station. I say we cannot afford not to build space station *Freedom*. And I rise tonight to say that the space station is our future and that we must somehow find the means, the way and, above all, the will to seize the future.

Mr. Speaker, in the past few weeks, I have talked to dozens upon dozens of my colleagues in the House, Repub-

licans and Democrats alike, about space station *Freedom*. I have talked with them one on one, Member to Member, friend to friend, colleague to colleague. I have heard every reason in the world why some believe we should not proceed with the space station.

Mr. Speaker, I speak to each of them tonight. I speak to them in the hope that they will listen, that they will understand why the space station does represent the best of both our past and our future as well.

Mr. Speaker, I have, as I have spoken with my colleagues in these recent days, recalled again and again something that happened in my district in central Florida, Cape Canaveral, 25 years ago. I was in high school then, and I followed closely the progress of the space program; first, the Mercury Program, and then the Gemini Program, and then the beginnings of the Apollo mission to the moon, and I remember a day in January of 1967, when I was a senior in high school, January 27, when three brave astronauts conducted a test before the planned flight for *Apollo One*, a countdown simulation at launchpad 34 at the cape. Their names were Gus Grissom, Roger Chaffee, and Ed White. In that countdown simulation something went wrong. There was a fire, and Gus Grissom, and Roger Chaffee and Ed White lost their lives.

Mr. Speaker, they lost their lives because they believed in something bigger than themselves, they believed in the future of this country, and they believed that our future was big. They died because they believed we needed to reach for the stars.

Mr. Speaker, my colleagues know that on most Saturdays in my district on the space coast of Florida I go out with other volunteers and do different kinds of community service projects. We call them citizen Saturdays. I have done 92 of my citizen Saturdays now, and one of my favorites was a few months ago when I took about 400 volunteers with me out to launchpad 34 where those three brave astronauts gave their lives for this country and for its future 25 years ago. We took many different kinds of people with us that day. Admiral Truly was with us, General Stafford, two brave astronauts themselves. Aerospace executives were there and space workers were there, space workers of all kinds. Union members were there, and some who were not, and many people from our community from all walks of life: bankers, attorneys, small business people, Chamber executives, and many students, college students as well as high school students, children. There were 400 people who wanted to remember those three astronauts.

We went there, Mr. Speaker, because launchpad 34 was overgrown with weeds. Launchpad 34 had been abandoned and neglected, and what should

have been a memorial to those three astronauts have been forgotten by all too many. We cleaned up that launchpad that day, we cleaned the beach alongside, we planted three trees as a memorial to those three brave men, and we resolved that they would not be forgotten, that they would never be forgotten by those of us who believe that we must reach for the stars.

Mr. Speaker, sometimes when I speak with my colleagues about the space program and its importance to our country, and about space station *Freedom* and its importance to the space program and to our future, they suggest that somehow I am disqualified to speak on this subject because I happen to represent the Kennedy Space Center. They suggest that somehow I am tainted because the people I represent depend for their livelihood on the space program.

Mr. Speaker, that puzzles me because it seems to me that I may be more qualified than most to speak about the program because I represent so many people who have taught me and shown me how much they care about the program and what it means to our country, and I tell my colleagues that in the eyes of the people I represent the space program, and especially space station *Freedom*, is one of the few things we are doing right in Washington. Yet again and again they see the Congress of the United States trying to kill the space station.

My constituents understand that the space program is something vital to this country. Certainly it is vital to the place where I live, but is vital to America, and it is vital to our future. It is vital, too, to our national character. If we want to continue to reach for the stars as Americans, then we must build space station *Freedom*.

□ 2130

The people I represent still reach for the stars. They are not alone in believing that we must reach for the stars as Americans.

This is an election year. Our two major parties have offered Presidential nominees who disagree on much, but they agree on the space program and on space station *Freedom*.

Let me quote President Bush on the space program. He said,

It is time to open up the final frontier. There can be no turning back. America's space program is what civilization needs to begin this journey and to perfect the commitment to go beyond. Each time we go to the frontier and beyond we bring back more than we hoped for. This time we have the chance to bring back more than we can imagine.

The President in January spoke of space station *Freedom* specifically.

"Space station *Freedom* is not only a very valuable scientific program, but it is essential to our destiny as a pioneering nation, a pioneering nation in space.

Governor Bill Clinton agrees. On the "Today Show" on June 30, he said,

I have been a consistent supporter of the space program, including manned space exploration. One of the big challenges we have got now is reducing the defense budget, which has to be done, without eroding the scientific and technological base of this country. So we have to find new ways to maintain our scientific and technological need. The space program is one way to do that. I have been a longtime supporter of it and I will continue to support it as President.

Governor Clinton in an interview with Tom Brokaw on July 15 said, referring to both the space station and the superconducting super collider,

I do not consider these projects to be boondoggles. I consider them to be an important part of our development of a high-technology, high-wage, high-growth economy.

Mr. Speaker, I had a conversation this morning with one of my colleagues who has cosponsored the bill that I have introduced along with Senator GRAHAM of Florida in the Senate that would initiate a program of high-technology public works to keep our people at work even as we proceed with defense cutbacks and to make certain that we make the investments that we need to make in our technology and our competitiveness as a nation.

It seems to me that one of the few examples we have now of the kind of high-technology public works we need is the space station *Freedom*. Yet somehow this colleague of mine, while cosponsoring and endorsing my legislation, nevertheless feels that he cannot support the space station *Freedom*.

I do not understand this. It seems to me that we have to establish some priorities as a nation.

I am a cosponsor of the balanced budget amendment. I voted for it. I am one of a handful of Democrats who voted for the version of the constitutional amendment that included the line-item veto. I am for that, too.

I voted again and again in recent months to cut back wasteful overhead and administrative costs and needless spending. I think we have to stop spending money that we do not have. I agree with those who say we are spending \$1 billion every day that we do not have and we cannot keep doing that.

But what we have to do is spend the limited resources we have in ways that will make a difference. For every dollar that we ever spent on the space program we have generated an estimated \$9 in additional gross national product. We must spend our limited dollars on ways that will improve our economic growth by increasing our GNP.

To my mind children, education, and especially technology are the best investments that we can make. Yet for some reason we again and again seize upon the space program and the space station as the sacrificial lamb for those who want to pretend that they want to cut spending and for those too who genuinely do want to cut spending but do not have the opportunity to do so in the ways that they might prefer.

The fact of the matter is that space station *Freedom* constitutes one-sixth of 1 percent of the Federal budget. The fact of the matter is that NASA has been alone—alone—among Federal agencies in taking a cut this year in the budget. The fact is that the appropriations bill we will be voting on tomorrow already includes a cut in funding for Space station *Freedom*.

We understand that we do not have all the money that we would like to have. But we understand too that we must fund the space station, because the space station *Freedom* will help us seize the future in many, many ways.

Space station *Freedom* offers us hope of maintaining our competitive edge in one of the few technological sectors in which we still lead the world. American aerospace enjoyed a positive balance of trade at \$30.8 billion in 1991, while overall the United States suffered a trade deficit of \$66.2 billion.

Time and again we have seen our lead in manufacturing erode in many, many sectors. Why in the world would we want to give away the lead we continue to hold in aerospace and in space itself? Yet if we refuse to build the space station *Freedom*, we will see the opponents of the space station come back next year and tell us that we can no longer afford the space shuttle. If they succeed in that, then we will not really have a space program and we will not continue to lead the world in space or aerospace.

Here we are with 10 million Americans out of work, with a rising unemployment rate, with Americans demanding that we invest in those things that will create jobs that have a future. Space station *Freedom* offers hope to the 75,000 Americans now working to design and build it with contracts in 39 States valued at more than \$7 billion, and that is just the beginning.

Thousands of additional jobs for hundreds of additional firms will be created by continuing work on space station *Freedom*. Who will have these jobs? We are seeing returning veterans now, servicemen and women alike, coming back, being mustered out. Where will they work?

We are seeing thousands of defense workers who have worked hard to invent and build the weapons that have defended this country being told that their skills are no longer needed. We are cutting back on defense.

In my State alone we anticipate losing 12,000 jobs in the defense industry in each of the next 5 years. That is 60,000 jobs lost. Do we really want to just tell those people goodbye and good luck? Do we want to consign them to the unemployment lines? Or do we want to keep them at work?

If we are not going to need as many missiles, then let us build some more rockets. Let us go back to the Moon and on to Mars. Let us build a space station *Freedom* to help us get there.

Space station *Freedom* means hope for the future to those who suffer from such diseases as AIDS, cancer, and arthritis. I am not one of those who says that the space station will provide all the cures for all that ails the world medically. But there are some things that can be done in the space station that simply cannot be done here on Earth.

We recently saw the conclusion of the longest shuttle mission ever. The Columbia returned after nearly two weeks in orbit. I spoke with Dr. Bonnie Dunbar, a specialist on that mission. She told me how in just the 2 weeks of that mission they had achieved things scientifically that could not have been accomplished in 2 years here on Earth.

What more could be accomplished if they were not limited to 2 weeks? What more could be accomplished with the long duration flight that would be possible on the space station *Freedom*?

Some of the opponents of the space station say that they oppose it because they want to emphasize education, and they are certainly right about the need to emphasize education and I believe we should do that. I have voted again and again to spend more of our limited resources on education at the Federal level. But schoolchildren need something more than their parents' prodding ways to encourage them to study and learn, to look to the future. They need the example that the space program has provided for the past generation.

□ 2140

They need to be inspired. They need to be inspired to imagine, and the space station can be the inspiration that our children need to imagine a better future.

Space station *Freedom* offers hope, too, of a new international order in which nations work together to better our home planet Earth and to explore our universe together. Fourteen nations, including most recently the Russian Republic, have joined us in this international project and have already contributed \$2.6 billion toward space station *Freedom*.

Some of the opponents of the space station say that if we do not build it now, we can build it later. Well, if we do not build it now, that does not mean we will build it later. If we do not build it, someone else will: the Japanese, the Germans, the Canadians, the Russians, maybe all of them together will build a space station without us. And perhaps they will let us borrow a piece of it from time to time. As for me, I would prefer to continue to lead the world in the exploration of space.

Technology, jobs, medical research, education, international scientific cooperation, these are all reasons enough to build space station *Freedom*.

But, Mr. Speaker, the space station also represents something more intan-

gible, something more difficult to measure than a dollar return on investments, more difficult to grasp than some electronic gadget. It is something that is really infinitely more valuable to our Nation and to our future. Space station *Freedom* speaks to our national character. We Americans have always been a nation of pioneers. We have always resolved to expand the boundaries of geography and knowledge.

The space station offers us a clear choice. Do we continue to reach for the stars? Do we continue pioneering and push on to the next frontier, or do we turn away from the future and say we have neither the will nor the wallet to be explorers anymore?

Mr. Speaker, recalling history, in the 15th century, the Chinese chose to turn away from the future. There is a famous Chinese admiral who pushed from China all the way to Africa and came back to the Emperor and asked for permission to go on further west. The Emperor refused permission. He saw no reason to explore. The Chinese burned the finest shipping fleet of the time and turned inward, where they remain today.

In that same century, Spain chose to push on to the next frontier, and financed Columbus' quest for a new route to the Orient. Columbus discovered much more than the spices and gold he was seeking. He discovered a new world. Who knows what we will discover if we build space station *Freedom*?

There is really no way of knowing. Surely we will find our spices and gold in the form of new technologies and perhaps new medicines as well. But who knows what new worlds we will discover? What will we discover when we return to the Moon or lead an international expedition to Mars?

It was five centuries ago that Columbus landed on these shores. Today the result is the freest, most prosperous, and most diverse nation on this planet. Just imagine the possibilities, five centuries from now, if we take the next step in space and build a space station.

Mr. Speaker, the space station will not do all that some envisioned for it a decade ago. It will not do it all at once. It has the potential for doing everything that anyone ever said it would, but this is a start. We can look at what it will not do or we can look at what it surely will do. We can see the glass as one-third empty or we can see it as two-thirds full. We can talk about the science that will not be done on the space station, or we can talk about the science that surely will be done. And we can talk about the vast engineering progress that will be made as well. We can choose to turn away from the future, or we can choose once again to do what my constituents continue to do as they send shuttles skyward week after week after week. We can choose to reach for the stars.

In conclusion, Mr. Speaker, I received a letter the other day from one of my constituents. His name is A.P. Tully. He is a retired captain in the U.S. Navy. He served for 33 years in the Navy, served his country well.

Since that time, he tells me he has been working in industry and working at the Kennedy Space Center in my district.

He told me in his letter of some of his hopes for the space program, some of which he believes the space program is about. He has said something that I think is appropriate for us to keep in mind tonight, as we contemplate the vote tomorrow. Captain Tully wrote:

The country I served has always reached for the stars. Do not fail us now by not looking upward and reaching for the benefits to be derived from space.

Mr. Speaker, I believe we must look upward. I believe we must reach for the benefits that can and will be derived for exploring space and from building space station *Freedom*. I believe that America must always reach for the stars.

Mr. Speaker, I include for the RECORD a copy of the letter to which I referred:

JULY 27, 1992

Representative JIM BACCHUS,  
Cannon House Office Building, Washington, DC  
DEAR CONGRESSMAN BACCHUS: I retired from the Navy in 1991 after 33 years of service. Since that time I have been working in industry and, using many of the skills I learned in the service. I believe I have continued to make a worthwhile contribution to the nation's defense, to the local economy, to the Social Security budget, and to the nation's present future as the world's leader in space. I am presently employed at the John F. Kennedy Space Center.

What does Space Station Freedom mean to me—other than providing me an income? It means what I think it should mean to everyone regardless of race, creed, walk of life, or even nationality. It means a continuation of an effort to make our lives better and healthier. For years, scientists have been looking for those "miracles" on earth—the miracle cure for cancer, the miracle cure for AIDS, and the miracle cures for so many other things. The miracles have been few and far between. We have engineered, and even proven some of the theoretical ways to perform medical research in space, research that could very well indeed produce one or more of the sought after miracles. Yet we stand on the verge of not only letting the opportunity slip through our fingers, but of deliberately throwing it away.

I am fortunate in not having had to avail myself of many of the long-term Veteran's benefits, such as health care, that I've earned but, even if I were indigent and depended on the VA for care, I believe I would question the sanity of pitting the VA budget against that of NASA's. For one thing, I would feel that I've been denied the chance of a miracle remedy to whatever ailed me. For another, I believe such an artificial tradeoff is obviously penny wise and pound foolish. The country I served has always reached for the stars. Do not fail us now by not looking upward and reaching for the benefits to be derived from space. In the final analysis, money for the space program is

spent on earth where it does the most good for the most people.

I urgently solicit your support for Space Station Freedom.

A.P. TULLY,  
Captain, USN (Ret).

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

Mr. BACCHUS. I yield to the gentleman from Pennsylvania.

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

I first of all want to congratulate him on a very fine statement with regard to space station *Freedom*. I think he has given us a very good reason for Members to support our efforts tomorrow to retain space station *Freedom* in this year's budgeting.

I would like to build a little bit on what the gentleman said by dealing with some of the specifics and some of the budget realities that I think we have to face up to, because the fact is that the arguments tomorrow are going to be made in very specific terms about very specific budget items.

I am afraid that some of the realities of that budgeting have been obfuscated by a number of presentations about the budget that bear little relationship to reality.

We are going to be told tomorrow in the debate that somehow this is a nice thing to do but we simply cannot afford it, that the subcommittee simply did not have enough money to do everything that it wanted to do. The fact is that this is a subcommittee that got \$85.9 billion in budget authority, which was a \$4.4 billion increase over the 1992 fiscal year appropriations levels. That means that this committee, with a \$2.35 billion increase in outlays given to it during the allocation, really had more than any other subcommittee other than Labor, HHS. So this is not a committee that was within the allocation process starved for money. And I point that out not because I do not believe they had to face tough decisions, they did, it was a very tough series of choices, but only to point this out.

One of the other things we are going to be told in the debate tomorrow is that this subcommittee is sensitive to the needs of space, sensitive to the needs of science and, if it can simply find money by taking it away from the space station, the allocations will go to other science programs, other science projects and other space projects that the committee regards of higher merit.

The fact is that the subcommittee did not do that. Despite higher allocations, the money did not go to science and did not go to space. The money went elsewhere. And I think we need to look at the realities of what is in the budget presentation that we will have before us tomorrow.

If we take a look at where the money went, \$2 billion goes to prior year outlays. So immediately they took this \$4 billion of money that they got extra and put it into prior year outlays.

Then they also approved the President's request for \$1.119 billion in increases in VA medical care. I do not think there is any Member in the Congress who disagrees with that. I think that everybody agrees that the veterans need to have the additional money, and so I do not think that anybody is going to argue that that was a priority worth doing.

□ 2150

However, they also put \$1.4 billion into special earmarked projects, many of which are unauthorized and many of which were unrequested by the President. Nearly all of the money that is going to be spent for the space station is almost matched by the money that they have put in a whole series of earmarked projects, and some of those are very valuable. I do not doubt some of them have great merit.

The problem is that when we are being told that in relative priorities we cannot do everything we want to do, the question becomes how is it we are able to do almost one-quarter of all the money the committee had to spend in earmarked projects, that is, of the additional money they had to spend. That raises real questions.

The Members would think that if this is a subcommittee that was concerned about science, at least as they were allocating the money we would have seen additional moneys go into space and science. The fact is the HUD-VA bill before us tomorrow funds NASA at a level \$300 million below the fiscal 1992 appropriated level; not the inflated level, actually below what was spent last year. It is \$1 billion below the President's request for a 2-percent real decrease in spending in the NASA Program, so the money that is coming out of some of these programs does not get reallocated to other space programs, it simply gets cut out and spent elsewhere.

The space transportation account was cut by \$150 million. When the gentleman from Florida [Mr. BACCHUS] said a couple of minutes ago, "If we kill space station now, they will be back to kill space shuttle next year," we have the sign of it right here in this bill, because the fact is they are already reducing the space transportation account in this particular bill.

Mr. BACCHUS. Mr. Speaker, reclaiming my time on that point, the gentleman is absolutely right. It is important for our colleagues to understand exactly what is happening within NASA right now.

We have a new Administrator who is working hard to make NASA cheaper, faster, better, much more effective. He made a very strong speech last week to the contractors urging them to be tight, to be fiscal conservatives.

At the Kennedy Space Center we are in the second year now of a 5-year program in which we are cutting back 3

percent a year in terms of the cost of shuttle processing. Over and above that, the Committee on Appropriations has decided, out of what oversight I do not know, that they should impose an additional cut of \$155 million in shuttle processing. That would put the entire shuttle program in jeopardy.

Here we have the single agency that I know of in the Federal Government that has already been engaged in cutting internally, and we are asking them to cut some more without any real rhyme or reason for proposing why they should do it. The last time I looked, as a member of the Committee on Banking, Finance and Urban Affairs, the Housing and Urban Development Department was using 77 different accounting methods. No one has asked them to cut back on their administrative costs. No one has asked the VA to cut back on its Byzantine bureaucracy and its wayward ways.

Here they are asking NASA, one of the few agencies that has ever tried to change and cut and conform and be conservative, to do something that really we should not do.

Mr. WALKER. Will the gentleman yield further?

Mr. BACCHUS. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, there are a couple of points we need to point out. There are many people in the space science community who believe if we simply cut out the space transportation accounts and cut out the space station money and reduce all of this, they are going to get all the money over to their space science accounts. They ought to take a look at what the subcommittee did.

The fact is, the space science accounts were also cut \$150 million, so it is down, the space station is down, space transportation is down, virtually everything in the NASA Program is dropped in order to fund things elsewhere.

We would think that at least maybe if they are going to cut out the NASA account and all of the science, maybe what they would do is do a little to help commercial space where we are trying to encourage some private enterprise. No, that is cut by \$22 million in the bill, so that is down.

The national aerospace plane, one of the really leading technologies of the future, to improve technology for all of our aeronautics for the future, that is completely zeroed out. They came up with absolutely zip for the national aerospace plane.

Meantime, in the same accounts, they are funding a program called the Consortium for International Earth Science Information Network that was totally unrequested and totally unauthorized. That is at \$83 million. That is more than what we needed for the whole National Aerospace plane thing.

We are funding \$8 million for the Delta College Learning Center, and

again, it is an unauthorized program. The earmarks in NASA alone are \$573.3 million. The reason why that becomes important is because the space station request overall was for \$2.25 billion, the 1992 level of spending was for \$2 billion, and the Committee on Appropriations mark is at \$1.725 billion, which is 15 percent below 1992 and 23 percent below the 1993 request.

That reduction in space station funding actually adds outyear costs. What we are going to do is, we are going to find \$1.5 billion in additional cost over the life of the station as a result of taking money out of the space station and putting it into these accounts which are not authorized and not requested by the President. It will result in an 18-month delay in reaching permanently manned capability and a 6- to 9-month delay in the first launch of elements of the space station. All of those are disastrous for the program.

Let me just make one other point. That is something that somebody will say, "If they did not put it into the space program, it probably went to some other science programs." No, the National Science Foundation did not get the money. In fact, the National Science Foundation got \$303 million below their request.

The research account is funded at last year's level, the academic research and facilities and instrumentation is held at level funding, the U.S. Antarctica research activity gets the President's request, but the human resources account, education and human resources, is funded at last year's level, so these scientists did not get anything. The EPA got a little bit more, but not very much.

What we are finding here is that this committee has taken out of science, out of space, put it elsewhere, and I think to the detriment of the long-term future of the country. As the gentleman points out, that is something which is very bad.

I now include for the record a complete rundown of all the earmarks that are in the bill that add up to the total of \$1.4 billion in additional spending, some of which is unrequested and unauthorized.

#### EARMARKS IN THE VA, HUD AND INDEPENDENT AGENCIES BILL

##### VA BILL

+ \$42,000,000 for construction of the El Paso ambulatory care facility.

+ \$148,900,000 for construction of the Ann Arbor clinical addition project.

- \$10,000,000 for design of a new medical center and regional office in Honolulu.

\$800,000 approved in FY91 for completion of the facility development plan for the repair and modernization of the Wilkes-Barre VA Medical Center.

\$8,600,000 for the parking facility at Ann Arbor VA Medical Center.

\$500,000 for costs of additional parking at the St. Louis (John Cochran Division) VA Medical Center.

##### HUD BILL

\$500,000 is earmarked for a grant to continue development of an integrated data base

system and computer mapping tool as authorized by section 901(a)(4) of the National Affordable Housing Act and is targeted for the Population and Marketing Analysis Center in Towanda, Pennsylvania, for mapping projects in Lackawanna County, Dunmore, Carbondale, Tioga County, Wilkes-Barre, and Hazelton.

\$226,000 to the Milton Residences for the Elderly for certain costs incurred in a section 202 project in Milton, MA.

\$1,065,000—bill extends the availability date of HoDAG funds for the Symphony Housing Project in Springfield, MA.

#### INDEPENDENT AGENCIES

##### EPA

\$10,000,000 grant to Columbia University for an environmental health science research facility.

+ \$2,000,000 for the Adirondack Destruction Assessment program.

+ \$3,500,000 for the Center for Environmental Management.

+ \$1,000,000 for global warming and mitigation research.

+ \$1,000,000 for the American Water Works Association Research Foundation.

+ \$2,000,000 for the Southwest Environmental Research Center.

+ \$250,000 for continued research on the zebra mussel (Great Lakes).

+ \$2,000,000 for the Center for Excellence in Polymer Research and Environmental Study.

+ \$250,000 for an airshed model along the Illinois-Missouri border.

+ \$1,000,000 for the Great Lakes National program office to be primarily dedicated to the large lakes laboratories in Duluth, Minnesota and Grosse Ile, Michigan.

+ \$150,000 for research on sulfonated plastics and tires.

+ \$700,000 for a nutrient loading research project in Boston harbor and Massachusetts Bay. Funds to be allocated to the Naragansett laboratory.

+ \$175,000 for interagency coordination of Great Lakes research with the International Joint Commission.

+ \$900,000 for an alternative fuels demonstration project in the South Coast Air Quality Management District.

+ \$2,000,000 for a PM-10 air study in Central Valley, California.

+ \$200,000 for the Florida Keys National Marine Sanctuary.

+ \$500,000 for the National High Altitude Center.

+ \$210,000 for a documentary of the Hudson River Highlands.

+ \$500,000 for the Tar-Pamlico River Basin non-point source demonstration and watershed pilot program.

\$1,200,000 for controlling erosion and sedimentation in the Great Lakes Basin.

+ \$900,000 for cleanup of contaminated sediments in the Buffalo River.

+ \$1,300,000 for continued work on the Maumee River and Bay basinwide assessment of hazardous waste sites.

+ \$1,000,000 for the Saginaw River Watershed.

+ \$1,000,000 for continued work on the Spokane aquifer.

+ \$260,000 for Great Lakes modeling activities.

+ \$300,000 for a Long Island Sound management plan.

+ \$520,000 for the Lake Roosevelt water quality recovery plan.

+ \$175,000 for a wetlands mitigation bank prototype in Warrenton, Oregon.

+ \$200,000 for the National Estuary Program, of which \$500,000 is for the Puget

Sound Estuary and \$500,000 is for Buzzards Bay Estuary programs.

+ \$250,000 for a PCB exposure study in Monroe County, Indiana.

+ \$500,000 for a Southern Appalachian Mountain Air Quality study.

+ \$950,000 for wetlands demonstration project on the Susquehanna River in Northeastern Pennsylvania.

+ \$700,000 for a wetlands study of the McKenzie River Basin.

+ \$250,000 to conduct a groundwater study of the Calumet Lake region (NE Illinois, NW Indiana, on Lake Michigan).

+ \$1,000,000 for the Hayward Marsh wetlands restoration.

+ \$1,000,000 for an innovative and alternative wastewater treatment demonstration project in the Florida Keys.

+ \$1,956,000 for continued operations at the Center for Ecology and Research Training.

+ \$1,000,000 for the Methane Energy and Agriculture Development program.

+ \$350,000 for Canaan Valley, West Virginia wetlands complex.

+ \$500,000 for the EPA National Training Center in West Virginia University.

+ \$1,000,000 for the Small Flows Clearinghouse at West Virginia University.

+ \$750,000 for dairy pollution research.

+ \$450,000 for a Rio Grande coastal impact monitoring station.

\$10,000,000 in bill language for the establishment of the Audubon Biomedical Science and Technology Center.

\$85,000,000 of increase provided is for EPA's Center for Ecology Research and Training.

\$5,500,000 committee provided additionally for continue work on the design of a facility at Research Triangle Park (RTP), North Carolina.

-\$6,300,000 reduction in EPA request for A.W. Breidenbach Environmental Research Center.

\$100,000,000 for the construction of secondary sewage treatment facilities, Boston, MA.

\$70,000,000 for the construction of secondary sewage treatment facilities, New York, New York.

\$55,000,000 for the construction of secondary sewage treatment facilities, Los Angeles, CA.

\$40,000,000 for the construction of secondary sewage treatment facilities, San Diego, CA.

\$35,000,000 for the construction of secondary sewage treatment facilities, Seattle, WA.

\$40,000,000 for the construction of secondary sewage treatment facilities, Baltimore, MD.

\$5,500,000 additional provided by Committee for San Diego facility.

\$82,000,000 for the Rouge River wet weather demonstration project in Wayne County, Michigan.

\$19,000,000 for modifications and replacements to the Carver-Greenfield sewage treatment plant.

\$7,000,000 for sewer and wastewater treatment problems in Atlanta, GA.

#### FEMA

+ \$250,000 for an emergency operating center in Jones County, Mississippi.

\$420,000, estimated cost of the seismometers, recording computers, and other equipment which the Committee directed FEMA to provide from funds available for equipment replacement, upgrades to the Weston Observatory in Massachusetts.

\$71,000, estimated costs for warning sirens which FEMA is directed to provide funding for from available funds for Lucas County, Ohio.

#### NASA

+ \$20,000,000 to continue work on the gravity prove "B" program.

+ \$33,500,000 to continue the consortium for international earth science information network (CIESIN) program.

+ \$1,250,000 to supplement the 1993 request of \$5,000,000 for civilian tilt rotor technology activities.

+ \$1,800,000 for continued support for the classroom of the future program at Wheeling Jesuit College.

+ \$315,000,000 for the advanced solid rocket motor program.

+ \$165,000,000 for the advanced solid rocket motor facility and associated plant and equipment requirements.

+ \$50,000,000 for construction of a CIESIN headquarters building at Saginaw, Michigan.

+ \$8,000,000 for the Delta College Learning Center (Michigan).

Mr. BACCHUS. Mr. Speaker, reclaiming my time, I thank the gentleman from Pennsylvania for his elucidation and his enlightening remarks.

I yield to the gentleman from Alabama [Mr. CRAMER], a strong supporter of the space program and space station Freedom.

Mr. CRAMER. Mr. Speaker, I thank my colleague, the gentleman from Florida [Mr. BACCHUS], and I, too, would like to direct my remarks to the events of tomorrow.

Mr. Speaker, I was sworn in with the gentleman a little more than 18 months ago, and I came to Congress in the shadow of the space program representing the home of the Marshall Space Flight Center, came here hoping to find a place on the Committee on Science, Space, and Technology, which I did find a place on, hoping that I could work for the future, hoping that I could work for the young people of this country.

This will be the third time, tomorrow, Mr. Speaker, that we will actually have put this issue to vote. I am extremely frustrated that we would have to go through and put NASA's employees through this constant battle. It must be terribly demoralizing to them.

I hope that tomorrow we will deliver a strong message that space station Freedom will be built.

I would like to emphasize during a portion of this time here some issues that the gentleman touched upon very well, but I want to go a little further. I want to talk about education, and I want to talk about our young people.

It is true that the space station is the centerpiece of America's space effort. It is a vital part of a robust, balanced program that will ensure our continued leadership in space. We will look to unprecedented results. We will prepare mankind for the future. We have already been to the Moon. We will go back to the Moon, but we need to prepare ourselves and go on to Mars. Freedom will be a valuable national asset, and is one of the most important investments in the future that this Congress can make.

We are talking about jobs, Mr. Speaker. Space station provides jobs for more than 75,000 American workers. We have contracts in 39 States, with a

value of over \$7 billion. It enhances a favorable balance of trade that is enjoyed by our aerospace industry, and it is truly an international project. We have international partners: Japan, Canada. The European Community participates. They, too, are frustrated when they have to look at how we fight this battle, several times during 1 year, when in fact, they have given this investment a multiyear commitment.

Again, I would like to focus on the young people. Our Nation is facing a crisis with regard to the scientific literacy of our children. Science, mathematics, and engineering, those studies have emerged as a central goal of education initiatives.

My colleague has talked about President Bush. He has consistently supported a strong education program.

□ 2200

Bill Clinton, our Democratic nominee, has made education one of the central themes of his campaign.

A viable, energetic and robust space program extends the challenge to young people by its very existence. Since the beginning of the U.S. Space Program, NASA and the aerospace industry have provided expertise and funding for all kinds of education initiatives across this country, and this support for education should continue.

Space programs have always been an important stimulus for young people, linking their imagination and sense of adventure to the practical study of mathematics and basic sciences. During the 1960's we had the Mercury and the Apollo Programs. Those fostered this type of interest. We were reaching to a new and an unexplored frontier, and that is a turn-on for young people.

In the 1970's and 1980's we expanded this knowledge with missions to the Moon, with Skylab, with flights of the space shuttle, and now in the 1990's and the 21st century we will show these young people what man can do in space and what man can continue to accomplish.

We are spending longer periods of time on the shuttle. This cannot be manufactured in an artificial setting here on Earth. And we are moving into the future with space station Freedom.

There is no better stimulus to a young scientist than to be able to have the goal of performing experiments in a permanently manned outpost in outer space. This is a powerful stimulus for schoolchildren who are considering their future.

Space station Freedom and the rest of the civil space program provide the motivation for students to study math, science, and engineering. These fields are crucial if the United States is to remain competitive in the increasingly sophisticated global marketplace.

Now there are many examples of how the space program, the space station stimulate young people. One of the

most visible examples is that at the U.S. space camp in my district. And I know the gentleman from Florida has a U.S. space camp in his district as well. And pretty soon the European Community will have space camp programs all over that are patterned after our space camps, and we do not want to be left out of that.

But I, along with the gentleman and other Members of Congress have visited the space camps, and we look into the eyes of those young people from all over the country and see the work that they do, the hands-on work that they do right there.

But I want to talk about numbers here. There in Huntsville, AL we have had 128,000 students and teachers in our space camp. This space camp was the vision of Dr. von Braun who saw in the early 1970's the need for a space-oriented camp for young people. During these visits you can see young people talk to young people who will say that they come back to the camp, they bring their parents back to the camp, and there are advanced camps that they can continue with, and you can kind of feel the excitement that that program produces for them and for their families. But we have done a recent survey of those young graduates who come there, and it is remarkable what those surveys show.

After attending space camp, 87 percent took more science and math courses. Almost 80 percent reported that space camp inspired them to take more math. And over 75 percent of the trainees, the young people there indicated that they learned about career options at space camp. Over half of them made a career decision based on their participation there.

Listen to what some of these students have had to say. This is a West Point cadet today, Dan Robinson, who said:

Space camp had a tremendous impact on my life. It proved to me that dreams can come true. A career in the space program is a goal that I or anyone else can achieve.

And John Davis from Virginia said:

As far as my career, space camp had a very definite impact. In 1991 I received my B.S. in physics from Virginia Polytechnic Institute.

Ursula Leubner from New York said, "Space camp initiated my interest in technology." And Patricia Gossett from my State of Alabama said, "I began to take math much more seriously as a result of space camp."

The excitement of these young people is an example of stimulation that is provided by space station *Freedom*. It is the centerpiece of what they work on in these camps.

That is not the only initiative provided as a consequence of the space program. We have the *Challenger* centers that exist in the many schools throughout this country. The *Challenger* centers were established by the *Challenger* families as a result of their

tragedy in 1986. The intent of the *Challenger* Program is to capture participants, in this case fifth graders who come in with hands-on activities, to capture their interest in science and technology, and to encourage them at that young period in their life to get interested in the space program, to get interested in science, and mathematics. And it is important that those careers be open not just to young men, but to more women, and to more minorities in this country who are increasingly squeezed out of those kind of educational opportunities.

So this is an ideal target audience. But that is just a small sample of the kind of education programs that these space initiatives carry back to our citizens. And I do not think we want to give up on it at this particular point.

There is a *Challenger* center here at the Goddard Space Center, and I would encourage any Member of Congress who doubts the importance of the space program and of space station *Freedom* and of NASA's budget to go out and visit that *Challenger* Center Program and see the difference in the eyes of those young people that the space program is making. Seeing that enthusiasm will make you committed to see that we do not give up the space station program, and that we do not give up on NASA. For if we give up on space station *Freedom*, we will see the beginning of the dismantling of NASA.

Tomorrow during this important debate we will hear a lot of arguments, as my colleague from Pennsylvania has pointed out. Many Members will say we cannot afford, we need the space station, but we cannot afford it. Many of them will not even say we need it. Many of them will just say we cannot afford it. But they are putting today and their gratification today in place of our future. They are robbing our future.

We will hear all kinds of figures tomorrow about this is a \$118 billion program, that this started off as a \$8 billion program, but all of a sudden it has become a \$30 billion program today. Those people are making apples, oranges, pears and all kinds of fruits when they make these kinds of specious arguments.

In 1984 Congress asked NASA to come up with cost estimates for deploying the space station program, and NASA, in response to that did, and they came up with, in contract dollars, the \$8 billion figure. In inflated dollars even in 1984 that would have been a \$12 billion figure.

Then again Congress came back and during critical years in the late 1980s Congress cut funding for the space station program and put NASA in an impossible corner so that it could not comply with the kind of framework that it was under. But again, Congress asked in the 1990s for NASA to restructure the space station program, and NASA has done that.

So we have constantly asked NASA to come back and to restructure, and they have complied. It would be insane in this day and time for us to rob NASA of the opportunity within their budget to say whether or not they want to continue with the space station program.

We now have a new NASA administrator, Don Golden, new to the job. He has been circulating in this community here in Washington, and he has reassured Members of Congress that he understands the current reality of where NASA is. NASA no longer is an agency that can expect budget increases. In fact, in this VA, HUD and independent agencies appropriation bill, NASA is the real bill payer here. It faces a \$3 million decrease or a 2 percent decrease in funding. Dan Golden accepts that, and he takes that as a challenge.

But what Dan Golden does not accept is Congress attempting to micromanage NASA, and by us insisting that we cut out the space station program in a vote tomorrow we would be doing just that.

So I am happy to join with my colleague, and I am very committed to seeing that my community be allowed to continue the innovative edge that it has been able to exercise through its participation in the space station, in NASA, and in the future of this country. So I applaud the efforts of my colleague from Florida, Mr. BACCHUS.

Mr. BACCHUS. Reclaiming my time, I thank the gentleman from Alabama. I agree with every word he said, and I congratulate him on the way in which he said what he did say. I wish that every one of our colleagues could visit the gentleman's district and mine. I wish they could see the enthusiasm that we see every day in our districts, especially I wish they could see the enthusiasm of the young people who are at the space camps and who do the summer work at NASA. I wish they could share in the excitement that we are already seeing about space station *Freedom*.

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I wish each one of my colleagues could attend the launch of a shuttle in my district. I have my own private belief that no one can see the launch of a shuttle and then vote against an appropriation for the space program.

I wish they knew, as we do, that the space station *Freedom* is on time, on budget, and on the way to reality.

One of the things that frustrates me in all of the rhetoric that we hear in this debate is that no one is talking about what is actually happening in the preparation for building the space station. NASA is moving ahead. They are doing exactly what they said they would do, and they are doing it right, and they are doing it for the right price. A lot of people think that we are talking about ever increasing sums for

the space station at a time when there is desperate need for other programs in our society.

Well, it is true that if it were up to me, alone, I would triple the NASA budget, because I think we need to abolish a lot of other spending programs and spend more on space technology, education of children, to get that dividend, to get that economic growth. But it is not up to me alone, and that is not what is happening.

As Mr. Golden himself pointed out this morning in an article in the Washington Post today, the United States invests a little more than \$14 billion a year in NASA, or 1 percent of the Federal budget. Approximately \$2 billion per year of that is for the space station. That sounds like a lot, and it is. Yet Americans spend \$4.3 billion per year on potato chips and \$1.4 billion on popcorn.

In concrete terms, the space station costs each of us about 2 cents a day. The evidence is clear that we will all get much more than our 2 cents worth out of it.

I would like to underscore something that the gentleman from Pennsylvania [Mr. WALKER] reminded us about a few minutes ago, and that is what has been happening in recent years to NASA's budget. The NASA budget for the current fiscal year is about \$14.3 billion. The NASA budget for the previous fiscal year was about \$14.3 billion. NASA's budget has essentially been frozen for the past 2 years.

The appropriations bill that is coming to the floor tomorrow will include a \$300 million cut in NASA and a \$250 million cut in the space station *Freedom*, and that is a bill that the gentleman and I are supporting.

We hope to get more in the Senate. We hope to restore the kind of funding that NASA ought to have and that the balanced space program requires, but we are supporting that bill.

What we are opposing tomorrow is an amendment that would go even farther and delete the remaining \$1.7 billion that is in the budget for the space station *Freedom*. Such a decision by this Congress would be not only shortsighted but suicidal economically.

It is important for colleagues to understand that NASA has been cut, NASA is being cut, the space program and the space station *Freedom* have both been cut. What we are trying to do is preserve a piece of the future.

Mr. CRAMER. If my colleague would yield further, Dan Goldin also emphasizes that if NASA cannot keep the space station *Freedom* program, it will lose its centerpiece. It will lose part of its reason for being, and that is very important to NASA, and we should not do this tomorrow.

Mr. BACCHUS. Reclaiming my time, I would like to underscore another point that was made earlier. If we do not build space station *Freedom*, then

we will have eliminated the principal purpose that is contemplated for the space shuttle program throughout the next decade. The missions that are now being flown on the space shuttle are largely missions that are precursors to the space station. They are efforts to begin doing the life sciences work that will be done on the space station. They are preparations for the construction efforts that will be used in building the space station.

If we do not build the space station, then some will say that we do not need the space shuttle either, and if we lose both the station and the shuttle, then we will not have a space program, and I do not think that is America, that that is what Americans want. I do not think that is the future that we want, and it is certainly the future that I am going to fight against.

I believe that Americans want a balanced space program. I believe they want both manned and unmanned aspects of that program, and I believe the space station *Freedom* is, as my colleague from Alabama has said, the centerpiece of the space program that we ought to have.

With that, Mr. Speaker, I thank the gentleman from Alabama and the other colleagues who have joined me tonight.

Mr. MOLLOHAN. Mr. Speaker, tomorrow, the Congress will find itself, once again, gathered to debate whether or not NASA will proceed with development of the space station *Freedom* program. What a familiar occurrence. This will be the third time the 102d Congress has addressed the issue on the floor of the House in the past 13 months.

Once again, we will debate the justification of this program—repeating the arguments that have proven its justification for the past 8 years.

It strikes me that many of our colleagues voice their opposition to space station *Freedom* as if NASA operates in a vacuum. I would like to take a few moments to remind these colleagues of the global perspective, of the global commitment, to the space station *Freedom* program.

In 1984 NASA was challenged to proceed with the next logical step or manned exploration. NASA was directed to build a space station and seek international partners in its development.

By October 1988, the Governments of the United States, Canada, Japan, and the member nations of the European Space Agency signed intergovernmental agreements regarding space station *Freedom*. These countries agreed to cooperate with the United States in the design, development, operation, and utilization of a space station. Further, they committed to contributing one third of the development costs for the program, which is approximately \$8 billion. As a result, space station *Freedom* became the largest and most complex international science and technology venture ever undertaken on a cooperative basis.

Just as NASA integrated space station *Freedom* as the centerpiece of our manned space program—so, too, did our international partners.

The Japan experiment module is the centerpiece of Japan's Space Program and one third of their annual space budget;

The attached pressurized module is an integral part of the European Space Agency's program. During difficult fiscal times for ESA, the Europeans have made every effort to ensure that they maintain their commitment to the international space station *Freedom*;

The mobile servicing system represents 50 percent of Canada's space program;

And the Italian contribution of the mini pressurized logistics modules is integral to Italy's space agenda.

So, during the past 8 years, while NASA has invested over \$7 billion into the development of space station *Freedom*, our international partners have been working diligently toward the same goal. By the end of 1992, ESA, NASDA, and the Canadian Space Agency will have expended \$2.6 billion on this program.

It is no wonder, then, that the proposed termination of space station *Freedom* last year was met with such ire from high officials from these governments, governments with whom the United States signed agreements.

And the United States gets more than a fair deal from its international cooperation on space station *Freedom*. The United States is paying for two-thirds of the development costs for the program, and in return, we will utilize 72 percent of its resources. In addition, the United States receives almost half of the space in the European and Japanese science laboratories.

And what if we decide to cancel space station *Freedom*? What would happen to our role vis a vis our foreign partners?

There is no question that global trends suggest an increasing dependence upon international cooperation for large science and technology challenges. Space station *Freedom* is a model for international cooperative efforts.

Canceling space station *Freedom* would send a strong message—the wrong signal—to the international community about the reliability of the United States as a partner in multinational projects. This action could very well jeopardize our international relationships on other critical large scale science projects such as AIDS research, the human genome project, and fusion energy research. Further, the United States might foreclose the potential for future international collaboration on priority projects—at a time when we can least afford to proceed alone—or be left behind.

The question that we will answer with tomorrow's vote is a question of leadership—does the United States want to continue its leadership in space?

Our economic leadership continues to decline. We excel at basic research but lose the economic game by lagging in commercializing our new discoveries.

Space station is a key program for our time. This R&D program offers a perfect vehicle to keep our highly trained scientists and engineers challenged in pushing the boundaries of aerospace and space technology.

In aerospace and space technology the United States still retains a competitive advantage. In fact, the trade surplus in aerospace leads all other industrial sectors. But certainly we can not take this competitive edge for granted.

Japan and the European nations realize that the key to economic competitiveness for the future is in the development of new technologies. And they have observed the success of our civilian space program. Accordingly, these countries are investing in their future by investing in their own space programs. And they are looking to the United States for leadership.

Rest assured, the show will go on if we opt out—Russia has the technological capability. The Japanese have the capital. And the Europeans have proven successes in their development of new space industries.

The show will go on—but the question is whether or not we will continue to lead. And if we choose not to then we must be prepared to watch our preeminence in yet another critical industry be swept away by those who have a vision.

Mr. MINETA. Mr. Speaker, on April 28 of this year, writer James A. Michner testified before the House Budget Committee Task Force on Defense, Foreign Policy and Space. In his testimony, Michner described the need for space exploration in terms of what he called defining moments in the histories of great nations.

He said, and I quote:

History is a grand mix of concepts, actions, organizations, and commitments which determines the extent to which any nation can achieve a good life for its citizens, and I believe without question that if a nation misses the great movements of its time it misses the foundations on which it can build for the future.

Mr. Speaker, earlier this year Members of the 102d Congress voted overwhelmingly—for the second time in as many years—to defeat an amendment that would have killed the space station *Freedom* program.

Our colleagues recognized that space station *Freedom* is indeed a national priority, that it is a foundation for the future of American technology, and that it is an investment in American jobs and the growth of our society.

Our space program epitomizes American ingenuity, daring, and innovation—and at no time in our history has it been more important to put these assets to a practical use. And make no mistake: space station *Freedom* is practical and pragmatic.

Our world is at a crossroads, Mr. Speaker.

We've made many sacrifices here in the United States during the last several decades, as we fought and won the cold war.

But now, America faces the challenge of being accountable to our legitimate expectations in this new age of peace.

Historically, developments in the defense and space industries led to spinoffs that ensured our technological and commercial superiority.

Commercial technology policy and the economic benefits associated with it—namely, jobs—came by default, not by design.

That day has come and gone.

In today's world, economic success requires direct investment in research and development, direct investment in education and infrastructure, and direct investment in the technologies that are the keys to the future.

During the last 30 years, space exploration has served as a vehicle for investment in technology. And it is no coincidence that the

growth and expansion of our Nation's high-technology industries have paralleled the years of NASA's greatest activity and accomplishment.

Mr. Chairman, as a senior member of the Science, Space, and Technology Committee, it has been my privilege for many years to work with NASA and help shape our Nation's space program.

As a member of that committee, and as a representative of California's Silicon Valley, I have had the opportunity to evaluate the role of space station *Freedom* to our Nation's future.

From this perspective, and from the perspective of history, I am convinced that space station *Freedom* must continue to be a national priority.

The risks of our withdrawal from this program are ominous not only for our economy today, but for our ability to compete with Europe, Japan, and others in the years ahead.

Some would try to cast the debate about the space station in terms of hardware. But this is not debate about hardware. This is a debate about making hard choices—choices about long-term, national investments—and sticking with them.

This debate is about where this Nation will go and what it will do with the resource of outer space.

America cannot abandon the centerpiece of our space program only to stand by and watch as other nations look to overtake us.

Space station *Freedom* will become an international laboratory for biotechnology and life-sciences research, improved medicines, and manufacturing.

Each of these functions has an application to the lives of all Americans here on earth. But, none of these functions may be done on the Earth as they can in space.

Those, Mr. Speaker, are perhaps the best reasons of all for the space station. But there is one more:

At a time when the United States is making the transition from defense to civil and commercial markets, the space station program alone accounts for more than 70,000 jobs in 39 States.

A recent article in *Nature* outlines the economic benefits of the space program. In fact, authors Roger H. Bezdek and Robert M. Wendling argued convincingly that those benefits are much greater than earlier recognized.

Those benefits run throughout the United States—including States that traditionally have not been known for their boost from NASA.

Illinois is such a State. Illinois produces goods and services required indirectly by NASA contractors such as capital goods, electronic components, and chemical products, among others.

And at this point, Mr. Speaker, I ask to submit for the RECORD that article from *Nature* magazine for the benefit of my colleagues.

Unfortunately, Mr. Speaker, unless we defeat this misguided attempt to kill space station *Freedom*, no one will benefit.

For myself, I see space exploration in terms of a glorious future, rather than a glorious past.

But that future remains only a vision today. It is not yet reality.

Making that vision a reality depends on common sense and commitment.

It depends on those of us here in Congress to do the right thing, to make long-term investments on behalf of the American people.

America deserves nothing less from us.

#### SHARING OUT NASA'S SPOILS

(Roger H. Bezdek and Robert M. Wendling)

The US space programme is mired in controversy concerning the future of the manned space station, the role of the space shuttle versus expendable launch vehicles, the priority of basic science programmes within the National Aeronautics and Space Administration (NASA), and problems of quality control and cost overruns. The wisdom of spending huge sums on projects such as the space station is questioned by many scientists, who are concerned that there may not be enough money for basic research, and by elected representatives, who would like to use the money for earthly priorities. Inevitably, advocates of the space programme revert to economic arguments. NASA, for example, emphasizes that the space station programme alone will provide orders for 2,000 businesses and create thousands of jobs in 40 states.<sup>1</sup>

Such rationalizations are disingenuous and incomplete. Any large capital-intensive project involving billions of dollars per year will create profits for many businesses and jobs for many workers. More interesting, though, is the fact that advocates of the space programme ignore many of its economic benefits: the indirect, pervasive effects of NASA expenditure throughout the economy.

These benefits are distinct from the intangible rewards that analysts identify (spin-offs, research and development support, public goods, and creation of new space industries) for the following reasons. (1) Spin-offs are products developed for the space programme that have applications in other areas, including photovoltaics, aerodynamic design, telecommunications systems, microelectronics, chemical processes and various consumer-orientated applications.<sup>2</sup> (2) The space programme contributes to research and development in general and is important for the technological competitiveness of US industry; investments in NASA research and development have a high rate of return.<sup>3</sup> (3) Public goods are those that only the government can provide, as their benefits cannot be captured by private investors, for example knowledge about the universe, information on the characteristics of the Earth and Solar System, and related basic scientific knowledge.<sup>4</sup> (4) New space-based industries include private launch services, materials processing in space and related applications of microgravity, remote imaging, infrastructure development and so on: without a strong space programme, development of these may be delayed and opportunities lost.<sup>5</sup> There are more immediate, quantifiable economic benefits of the space programme: sales, profits, jobs and tax revenues.

#### STATE BENEFITS

In 1987, NASA procurement spending was \$8,600 million; 70 per cent of prime contract awards were concentrated in California (the centre of the US aerospace industry), Texas (location of the Johnson Space Center), Florida (home of the Kennedy Space Center), Maryland and Alabama.<sup>6</sup> This corresponds to the conventional wisdom that the economic benefits of the space programme are concentrated within a few industries in a few states.<sup>7</sup>

<sup>1</sup> Footnotes appear at end of article.

But we find that the economic benefits of the space programme are much more widespread than has previously been realized. Specially, in 1987, the NASA procurement budget generated \$17,800 million in total industry sales, had a 'multiplier effect' on the economy of 2.1, created 209,000 private-sector jobs and \$2,900 million in business profits, and generated \$5,600 million in federal, state and local government tax revenues. Furthermore, these benefits are widely distributed throughout the country; among the biggest state 'winners' are many that are not perceived as being closely tied to such expenditures.

Why is the conventional wisdom so wrong? Before examining the answer to this question in detail, we illustrate the concept of indirect economic benefits by a simple example. California is a significant benefactor of NASA expenditures because of the concentration of the aerospace industry around Los Angeles. But contracts awarded in Los Angeles for space hardware require systems, components, materials and so on from industries in other states. These companies in turn require components, products and sub-systems from industries located elsewhere. Many of the businesses involved are not even aware that they are part of the US space 'industry'. For example, businesses producing the wiring, paint or valves necessary to satisfy the third or fourth round of indirect output requirements usually have no idea that their sales, profits and jobs are being generated by the space programme.

NASA can trace its main contractors and their subcontractors, but it is impossible to use accounting methods to trace the further impact of spending. In effect, NASA has never been able rigorously to identify even half of the economic effects of its programmes. If NASA is unable to determine the complete impact of its programmes, how could we? We used the MISI database and modelling system, which is based on economic input-output analysis, a quantitative method of measuring and analysing the interdependence of all industries in an economy.

Input-output analysis was developed by Leontief<sup>8</sup>, and we have used it to investigate the impact of the US space programme on the economy. First, we translated expenditure for NASA programmes into per unit output requirements for every industry in the economy. This is determined by four main factors: the state of technology, the distribution of expenditures, the specific programme configuration and the direct industry requirements structure. Although the MISI system contains 500 industries; we used an 80-order industry scheme.

We next estimated the direct output requirements of every affected industry. These direct requirements show, proportionately, how much an industry must purchase from every other industry to produce one unit of output. Direct requirements give rise to subsequent rounds of indirect requirements. The sum of the direct plus the indirect requirements represents the total output requirements from an industry necessary to produce one unit of output. Input-output techniques allow direct as well as indirect production requirements to be computed, and these total requirements are represented by the 'inverse' equations in the model. These equations show not only the direct requirements, but also the second, third, fourth, nth round indirect industry and service-sector requirements resulting from expenditure on the space programme. The ratio of the total requirements to the direct requirements is called the input-output multiplier.

Thus, in the third step, we convert the direct industry output requirements into total output requirements for every industry by means of the input-output inverse equations, and we use the total output requirements from each industry to compute sales volumes, profits and value added for each industry. Then, using data on person hours, labour needs and productivity, we estimate employment requirements in each industry.

#### TOTAL SALES, TOTAL EMPLOYMENT AND INDIRECT MULTIPLIERS RESULTING FROM 1987 NASA PROCUREMENT

Industry	Sales (million)	Jobs (number)	Multiplier <sup>1</sup>
Electronic components .....	\$503.3	7,906	5.9
Electric lighting and wiring equipment ..	43.3	552	4.8
Electric, gas and sanitary services .....	612.3	2,108	4.5
Chemicals and selected chemical products .....	279.8	1,521	3.3
Wholesale and retail trade .....	668.6	20,705	3.2
Paints and allied products .....	26.2	177	2.9
Glass and glass products .....	24.6	312	2.8
Communications, ex. radio and TV .....	206.6	2,181	2.7
Business services .....	923.6	19,013	2.4
Transport and warehousing .....	785.4	10,832	2.3
Electrical transmission equipment .....	151.8	2,324	2.2
Average, all industries .....			2.1
Petroleum refining and related industries ..	781.0	815	2.0
Motor vehicles and equipment .....	250.1	1,233	1.8
Metal containers .....	15.0	84	1.7
Engines and turbines .....	120.4	1,065	1.4
Aircraft and parts .....	2,827.1	27,217	1.3
Miscellaneous transport equipment .....	375.3	5,002	1.1

<sup>1</sup> Ratio of total to direct output requirements.  
Note: This table refers only to selected industries. Additional data available on request from the authors.

Finally, the total number of jobs in each industry is translated into occupational employment requirements using databases showing the occupational distribution of employment in each industry. We used data on the occupational composition of the labour force and estimated job requirements for 475 occupations encompassing the entire US labour force. This allows an estimate of the impact of the programme on jobs for specific occupations and on skills, education and training requirements.

This modelling approach allowed us to estimate the effects on employment, personal income, corporate sales and profits, and government tax revenues in the United States and in each state. Estimates were then developed for detailed industries and occupations. We simulated the effects of only the procurement portion of the NASA budget and, as we wished to analyse the impact on the private sector, we did not include NASA federal civil service employees.

Our results show that five states—California, Texas, Florida, Maryland and Alabama—receive 70 per cent of NASA procurement spending. But although this seems to illustrate that the economic benefits of the space programme flow primarily to a few regions, major (indirect) benefactors of the space programme include New York, Illinois, Michigan, Pennsylvania, Indiana, Missouri, New Jersey and Wisconsin. These states represent the manufacturing heartland of the country. Georgia, Massachusetts, Washington, North Carolina and Tennessee also benefit substantially.

Each of these states has a multiplier well above the national average of 2.1, and the multipliers for several states exceed 10 to 1. For example, for every dollar Indiana receives directly in space programme funds, it also receives \$12 indirectly in business arising from the programme. Similarly, Illinois receives \$8 indirectly per direct dollar spent, Kansas \$7 and North Carolina \$6.

This may seem counterintuitive, but Illinois, for example, a state not considered to benefit greatly from the space programme, produces goods and services required indi-

rectly by the recipients of NASA procurement awards: capital goods, electronic components, scientific instruments, chemical products, primary and fabricated metal products, specialized business services and so on. Further, because of the widely based, indirect nature of these economic benefits, Illinois will benefit greatly from NASA procurement spending in other states on a wide variety of programmes, and its benefits are not tied to a specific contract. In this sense, a state such as Illinois is a more certain beneficiary of NASA spending than are some states receiving sizeable prime contract awards.

The data in the table show that, per dollar of direct procurement expenditure, NASA programmes will have widely varying multipliers by industry—these multipliers are interpreted similarly to those for individual states, only here they are computed as the ratio of the total (direct plus indirect) economic benefits to the direct benefits. These range from near six for electronic components, five for electric lighting and wiring equipment and three for chemical products to near two for motor vehicles and equipment and near one for engines and turbines and aircraft and parts. In other words, the 1987 NASA procurement budget created, indirectly, nearly \$5 in sales in electronic components for every dollar directly spent in that industry, while it created, indirectly, only about 90 percent of sales in the aircraft and parts industry for every direct dollar of expenditure in that industry. The result is not surprising. Aircraft and motor vehicles are final products whose components do not enter into the production of other commodities, whereas electrical and electronic equipment, paints and chemicals are products required in the production of most other goods.

The table also shows the total employment created in various industries. The data here illustrate that the distribution of jobs created by industry differs in important respects from the distribution of sales. Thus, although many jobs are created in industries such as aircraft, ordnance, business services and communications equipment where the generated output requirements are large, employment of equal magnitude is also created in service industries such as wholesale and retail trade, transport, warehousing, restaurants and hotels.

Our findings are significant because we have for the first time estimated the benefits flowing from the second-, third- and fourth rounds of industry purchases generated by NASA procurement expenditures. For some regions these are very important, with ratios of indirect to direct benefits of 8 to 1 and higher. Many workers, industries and regions benefit substantially, and these benefits are much more widespread throughout the United States than has heretofore been realized. We believe our results imply that the economic benefits and costs of space exploration need to be reassessed.

<sup>1</sup> Morrison, D.C. *Natn. J.* 23, 1674 (1991).

<sup>2</sup> National Aeronautics and Space Administration *Spinoffs* (Washington, DC, 1990).

<sup>3</sup> *Economic Impact and Technological Progress of NASA Research and Development Expenditures Report* (National Academy of Public Administration, 1988).

<sup>4</sup> US Office of Technology Assessment *Civilian Space Policy and Applications* (Washington, DC, 1982).

<sup>5</sup> US Congressional Budget Office *Using Federal R&D to Promote Commercial Innovation* (Washington, DC, 1988).

<sup>6</sup> NASA *Annual Procurement Report Fiscal Year 1987* (Washington, DC, 1988).

<sup>7</sup> Management Information Services *The Economic and Employment Benefits to the Nation and to Each State of the U.S. Space Program* (Washington, DC, 1989).

\*Leontief, W. *Input-Output Economics* (Oxford University Press, New York, 1966).

### THE UNITED STATES IN SPACE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DELAY] is recognized for 60 minutes.

Mr. DELAY. Mr. Speaker, for the Speaker's benefit, I will not prolong my special order, and will just take a few minutes, probably more time than the Speaker wants me to take, but not the 60 minutes that I am allotted to make a few points and a few remarks in continuation of the special order on space station *Freedom*.

First, let me commend the gentleman from Florida [Mr. BACCHUS] for taking his special order and his eloquence in presenting the case to continue funding for the space station *Freedom*. Also I commend the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Alabama [Mr. CRAMER] and the gentleman from Pennsylvania [Mr. WALKER] for their endurance in staying up at this late hour after a very long day, because they think it is so important for the future of this country to fund space station *Freedom*.

Let me say from the outset, Mr. Speaker, that even though I am a proud Texan, proud to be from Texas and proud to represent Houston, TX, let me put a little disclaimer before I start my remarks in saying that this is not a Texas project. A lot of talk on the floor of this House is trying to suggest that once again Texas is getting everything, Texas gets all the money. I might point out parenthetically that Texas, out of all Federal funds, is 47th in the Nation on receiving Federal funds. But this is not a Texas project.

We are proud to have the Johnson Space Center in Houston, TX. It is very important to Houston. It is important to Houston for many reasons as outlined so eloquently by the gentleman from Alabama and the gentleman from Florida, and there are space facilities all over this country. We have it in Florida, we have it in Alabama, and the major part of space and the funding for space is in California, other States, Pennsylvania, many other States participate in exploration of space, not just Texas. This is an American project.

Americans have always been very proud of the fact that we have been a leader in space. The ultimate legacy of American civilization will be our epic journey into space.

What I find remarkable is that it is only 31 years since the first American went into space. Sometimes it is hard to realize how far we have gone in such a short time.

But in 1957, the Soviet Union orbited the first satellite in the world. Less than a year later, the United States

followed suit, and since that day in 1958, the United States has expanded its space program at a yeoman's pace.

Now, to me, one of the most amazing achievements of the space program has been the mastery of human space flight. I recall on May 5, 1961, Alan Shepherd became the first American in space, and less than a decade later, we all remember that awe-inspiring day when Neil Armstrong and Buzz Aldrin became the first humans to set on the lunar surface. I can remember it graphically, because my wife and I had to go to the wedding of our best friends, Mike and Patty Mattula that very day, and I sat out in the parking lot listening to the car radio as Neil Armstrong and Buzz Aldrin set foot on the surface.

In 1973, the United States orbited *Skylab*, our first space station, and from this facility, a variety of experiments were conducted in solar observation, Earth resources observation, biomedical research, and material processing.

The next major development in American space technology was the space shuttle, a truly remarkable achievement. With the shuttle not only could we go to space and return, but we could use the same vehicle over and over again. The first space shuttle flight was successfully accomplished in 1981.

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Within 2 years, shuttle missions included the first U.S. woman in space, Sally Ride, and the first black American, Guion Bluford, whom I had the pleasure of visiting just a month ago in the shuttle simulator in the Johnson Space Center.

In 1984, astronauts successfully retrieved several satellites and redeployed them in orbit. Additional missions found humans and animals traveling together in space for the first time. Exciting for those of us in Congress were two flights that included our colleagues Senator JAKE GARN and Congressman Bill Nelson among the crew.

The shuttle program enjoyed no less than 24 successful missions until the *Challenger* tragedy in January 1986. Seven Americans were killed in the explosion that shocked the Nation. Although this mission went horribly wrong, NASA took the failure as a valuable learning experience. Many improvements and adjustments were made to the program to further assure the safety of our astronauts and in 1988, the space shuttle returned to flight.

Currently, as the shuttle program continues, research, and development has begun on NASP, the National Aero-Space Program. Ultimately, NASP could lead to a replacement for the space shuttle and other launch vehicles for taking people and some cargo into

orbit. It could also lead to the thrilling development of a commercial aircraft capable of taking people around the world in a few hours.

Let us not, however, let some of these more dashing space ventures cause us to overlook the achievements of our first space technology, the satellite.

Satellites are common today. It is like the toaster in the kitchen. Everybody just assumes that the satellites are an everyday occurrence and an everyday event and have everyday usefulness to the United States, as well as the world.

Satellites have a plethora of important applications. For example, communication satellites are used today to send television signals, telephone calls, and data around the world. Remote sensing satellites provide data on mineral deposits, pollution sources, crop forecasting, land management, and the oceans. Other systems still are used to locate ships and aircraft in distress. Also worth mentioning is the military satellite system that was heavily utilized during the Persian Gulf war. This system allowed the United States to monitor troop movements as well as detect Scud missile launches.

The continuation of the successful programs and development of additional ventures renders NASA's future a bright one. The space station *Freedom* is particularly exciting. First, there is an abundance of planned research, which in the tradition of NASA, will undoubtedly produce new medicines and technologies.

The gentleman from Alabama and the gentleman from Florida and the gentleman from West Virginia eloquently pointed out some of the potential from the space lab.

Second, the space station is largely an international program. As the nations of the world unite economically and politically, so should they unite technologically. We all stand to learn a great deal from our international partners. I commend NASA on its contribution to our society and I look forward to further achievements and discoveries, only limited by the imagination of man.

We cannot tell you what to expect from space station *Freedom*. We can only suppose in our limited human minds the kinds of things that we can expect. We could not tell you what to expect from the first shot that John Glenn rode up and down from *Apollo* to the Moon, but I can tell you from the article that was mentioned earlier, written by Dan Goldin, the new Administrator of NASA, who, by the way, I commend because Mr. Goldin understands that we cannot just be limited to NASA. There are so many things that need to be done, that he also wants to encourage private industry into space. But particularly of note in his article published in the Washington

Post and hopefully other papers around the United States, there is a particular paragraph here that I want to quote from because it makes the point of the kinds of things that we have seen and it might make you start thinking of the kinds of things that we will see as a result of flying the space station *Freedom*. Mr. Goldin says:

Today there is hardly a sector of the economy that has not been touched by spinoffs from the space programs of the past 30 years. Every time someone operates a computer, makes a long distance call, watches television or uses an automatic teller machine, the benefits of space technology are being felt. Every time someone undergoes a CAT scan, has arthroscopic or laser surgery or enters intensive care at a hospital, he or she benefits from NASA work.

Let me point out something that has not been mentioned tonight about what we might expect from space station *Freedom*. It has been mentioned here tonight that tomorrow we will fight again as to whether or not we should fund space station *Freedom*. This is the fourth time in 13 months that we have had this vote.

Well, let me try to answer that question of why do we need space station *Freedom*. One area that has not been mentioned tonight, the Moon may very well be the Persian Gulf of the 21st century.

Why? Because the energy supply of our Nation is at risk. We had an energy bill go through this House that shut down drilling for oil and gas off the coasts of most of the United States.

We have constant roadblocks put up to our ability to develop nuclear energy.

What do these people want? Do they want us to go back to burning wood? Well, you cannot do that, because burning wood pollutes the air.

So where are we going to get the energy that we need to build a future for our children?

We must have the capability to replenish the depleting resources on Earth by finding new sources of minerals, metals, and energies in space. We must not be standing here 30, 40 years from now, debating how and where we can get the next supply of energy. Then it will be too late. The space station *Freedom* is the first important step toward sustaining life in space, and as a launch platform from which we can deliver extraterrestrial exploration missions that we can ultimately find these types of resources.

We in the 20th century have used more of the world's natural resources than all previous generations. Where will we go to find more resources after the Earth has been depleted? Do we just stand by now and cross our fingers? I think not. We must plan for the future and act now.

Down through the centuries nations have sometimes had to go to war to protect the vital needs of their populations. As an example, energy has

been one major resource that we need to survive in the modern industrial world, to drive the engine of commerce that provides the American standard of living. We have to provide for warmth, for food on our tables, for transportation needs for our families, for our children, and for our elderly.

The best estimates of Persian Gulf area oil reserves show that we only have until about the middle of the next century to find alternative, safe energy sources that will continue to sustain our lifestyle as we increase our population. In the mid-1980's, we found a good energy source that would provide safe energy production with no long-term waste and a high-energy conversion efficiency. Helium-3, commonly called Astrofuel, has all of those important qualities, but the supply of it on Earth is very scarce. There is enough Astrofuel on the lunar surface, however, to supply the world's needs for over 1,000 years. We need the capabilities of the space station mission to help extract it from the Moon.

Experiments by the Fusion Technology Institute of the University of Wisconsin have proven that the helium-3 fusion process can provide energy that is both economical and safe. These helium-3 fusion reactors produce a wide range of valuable byproducts as it is recovered from the Moon, including water and oxygen.

□ 2230

Unfortunately, helium-3 is extremely rare on Earth; while we have found enough of it on Earth to provide ample research, we must develop a mechanism to retrieve it from the Moon. Without the valuable research mission planned for space station *Freedom*, we will not have the knowledge to sustain life in space or have an economical platform to launch missions to the Moon.

Research from the Fusion Technology Institute has shown that clean, safe energy from astrofuel can be used here on Earth, but only if we start developing the technology to sustain life in space and an orbital launching capability now. Because 99 percent of the energy released from astrofuel is in the form of nonradioactive, charged particles, the astrofuel cycle is much safer than current fission reactors. Other benefits include high efficiency—about 70 percent net conversion to electricity—easier licensing and siting requirements, potentially lower costs of electricity, a shorter time to commercialization than for the fusion cycle currently pursued around the world, and less waste heat is dumped to the environment than with fossil fuel or fission plants. Furthermore, materials for the reactors can be chosen for easier maintenance, decommissioning and ultimate disposal of the reactor components. This means the astrofuel approach is likely to be commercialized

much faster and with less government research investment than other proposed fusion cycles.

The lack of any radioactivity in the fuels or exhaust products—such as hydrogen and helium—means that fuel can be delivered over city streets with no more precautions than required to deliver refrigerated food today. The extremely small amount of radioactive isotopes inside the plant means that in the event of a catastrophic accident, such as an earthquake, tornado or plane crash, there will be no off-site fatalities even if all the radioactivity were to be released at once. These safety advantages should allow power plants to be located close to load centers, thus eliminating the need for high voltage power corridors.

The cumulative effects of high efficiency, very low radioactivity, inherent safety—meltdowns are impossible—and urban settings should also result in lower electricity costs in the future. Even at \$1 billion a ton for the astrofuel—a procurement cost easily with reach from a modest lunar base—the cost of energy from astrofuel is equivalent to oil at \$7 dollars a barrel.

The following illustrates the commercial attractiveness of this fuel which can only be achieved by having the capability to reach into and live in space. Using 1987 as an example, the United States alone spent \$40 billion to buy coal, oil, natural gas and uranium to produce electricity. That same electricity could be produced from 25 tons of astrofuel. That much condensed astrofuel could fit into the cargo bay of the space shuttle. One shuttle-load of fuel could supply the entire U.S. demand for electricity in a year and be worth \$25 billion. Not only that, but there is 10 times more energy in the helium-3 on the Moon than in all of the economically recoverable coal, oil, and natural gas currently on Earth.

Astrofuel is only one example of the many ways we can replenish resources that are currently being depleted here on Earth. We need to develop the technologies to safely live and travel far into space now. We do not have the luxury of time to be shortsighted and not develop the capabilities that the space station can offer us. It takes decades to develop all of the technologies such as astrofuel that provide the answers to tomorrow's problems. We must act now, today, if we are to preempt the fears of life tomorrow. Time and time again I hear my friends in the House say that we must provide for the future, that we must protect the fates of our children and the fates of our children's children. The future begins today. A vote to defeat the Roemer amendment is a vote that protects our Nation's pre-eminence in space and the future generations of Americans.

Some of the what detractors, what they have been saying to me, is just outrageous.

Mr. Speaker, there have been a lot of arguments, in my opinion very few with substance, and some of them were gone over here tonight. But there was one that was just outrageous.

A press conference was held last week suggesting that the Congressional Budget Office had issued a report which purportedly laid out a whole list of research programs that would be cut from the domestic discretionary budget if we built the space station.

First, I would like to put in the RECORD, and I will read it into the RECORD, a "Dear Colleague" from the chairman of the Committee on Science, Space, and Technology, the gentleman from California [Mr. BROWN], that really succinctly refutes this outrageous attempt to inflame the fears of people that certain programs, certain research projects will be cut as a result of building Space Station Freedom.

Mr. Speaker, I quote from the letter of the gentleman from California [Mr. BROWN]. It is headlined, first, "Outrageous. Space Station Debate Reaches New Low."

The letter continues:

DEAR COLLEAGUE: Over the past several months, opponents of the Space Station have tried to demonstrate in various ways that the Space Station funding requirements cannot be accommodated in the domestic discretionary budget in future years. Last week, these opponents, including prominent Members of the Budget Committee, held a press conference to release what was described as a "CBO Report" which purportedly laid out the basis for this conclusion. Immediately following this announcement, the Director of the Congressional Budget Office was asked for additional details regarding this report. The response is illuminating and contained on the reverse of this letter.

First, no such study exists. There are no such findings, no report and this is not the position of the Congressional Budget Office. What does exist is an amazingly complicated manipulation of the normal "CBO Baseline" with which we are all familiar.

The basis for the conclusion announced at the press conference is so astonishing in its distortion that it bears some explanation. First, the analysis assumes that the separate caps on domestic discretionary, defense, and international spending remain separate out to 1997. This, of course, does not reflect the budget agreement nor has it ever been seriously proposed. The caps will aggregate next year as we all know.

Next, the analysis assumes that the Appropriations allocation process will cease to exist. That is, the VA-HUD/Independent Agencies Subcommittee will continue to get exactly what they got this year every year in the future. Congress will have no ability to portion out future allocations as program and overall budgetary needs dictate.

Next, the analysis inflates several "hot button" accounts known to have strong Congressional support, and calculates the amount that would need to be reduced in order to meet these hypothetical budget caps. Finally, the analysis calculates an additional, but much smaller, hypothetical reduction if the Space Station were the only program that is allowed to increase.

The results are in some way obvious. In order to meet these hypothetical budget

caps, all of the programs considered in the analysis must be reduced below this projected inflated level. This, of course has nothing to do with the Space Station. If the Space Station is the only account in this \$60 billion allocation that is allowed to grow and no other program declines, this calculated impact is very slightly greater. The point is that even if the outlandish assumptions underlying this analysis were true, less than 10% of the necessary reductions could be reasonably attributed to the Space Station. The rest is due to obvious existence of budgetary caps which constrain overall growth in the Federal discretionary budget.

There is no question that balancing the needs of veterans, homeless, and others will be a major challenge as we strive for austerity in the Federal budget. We all know that NASA will have to live within its means, perhaps even at a freeze level. Indeed, in the bill reported out by the Appropriations Committee, major reductions were inflicted on NASA and on the Space Station. NASA was the only agency within the bill to receive a significant reduction below F.Y. 92 levels and the Station was cut more than any other program.

Those of us who support the Space Station recognize this problem. Yet we know that with any equitable treatment of priorities within the VA-HUD/Independent Agencies Subcommittee, the Station can be funded. It serves no useful purpose to distort these difficulties further with the type of analysis used by the Station opponents last week.

Space Station opponents use their statistics like the proverbial intoxicated man uses a lamp post—for support rather than illumination. Don't be fooled.

Sincerely,

GEORGE E. BROWN, JR.  
Chairman.

□ 2240

The point I am trying to make, Mr. Speaker, is that there is no validity to the arguments that the opponents of space station are making. They say that there is no science, biomedical science. We have proven them wrong. They say there is no international cooperation. We have proven them wrong. They say there is no future that will put a hunk of iron up into space and there will be no results from that space station. We have proven them wrong.

The bottom line is many of these Members, and I do not want to question their intentions or why they are doing what they are doing, but I can tell my colleagues what is happening in the scientific community in this country.

We have turned a lot of scientists in this country into funding junkies. They are more interested in going out and getting funding for programs, or future programs, or future research, than they are interested in the science that they are researching.

It is amazing to me that anyone in science would be jealous of someone else's project or someone else's research to the extent that they would openly oppose the ongoing process providing more science and looking into areas unknown to man. That is not science. That is not a scientist.

And those that claim that there is no science to get out of the space station

Freedom have been absolutely living in a hole, covered up with dirt, for the last 30 years because we have seen science, and technology and wonderful things that we are using in our everyday lives that have been the direct result of the space program.

And I find it ironic that scientists who may not be directly connected to space station Freedom; even scientists within NASA are claiming that, in order to protect their funding or their footing over the possibility of getting more funding if they kill space station, they would dare to attack the science that is projected to come from space station Freedom.

Mr. Speaker, we are going to enter this debate tomorrow for the fourth time in just a few months, and I have every confidence that the American people will speak tomorrow through their Representatives. I have every confidence that we are going to combat this fourth effort to kill the space station Freedom. I would just hope that Members would look at this vote tomorrow and realize that it is a mandate of the American people, that the American people want space and the American people want the space station Freedom, and I would hope that they would stop these attempts to undermine our ability to explore space with another step towards our future because what is happening is we are destroying the morale and we are destroying the potential of young people looking forward to getting into space when they become adults.

So, Mr. Speaker, I welcome the battle tomorrow because we are on the side of right. We will win this fight tomorrow. I have every confidence of that. People connected to space directly or indirectly have been working very hard to beat back this attempt to kill space station Freedom, and I feel confident that we are going to win that battle and that we will lead this country into the future, not only in education, but in technology and products produced as a result of being in space.

Mr. Speaker, there is a wonderful future for our children, and our children's children and generations to come.

Mr. SAXTON. Mr. Speaker, we speak a lot on the floor about lessons learned in the past so we don't repeat mistakes in the future. Yet, I'm afraid when we take up the debate on the space station we will ignore an important lesson we learned less than a month ago when the space shuttle *Columbia* set a record for staying in orbit.

Through their record setting sojourn in space the crew of the *Columbia* was able to conduct experiments that will enable scientists down here on Earth to better understand our world and our environment.

In light of what the crew of the *Columbia* was able to accomplish in 2 weeks, I believe it is appropriate to ask what we might be able to accomplish through longer stays in space that only a space station would provide.

If we can conduct important experiments in space in a few days, imagine what we can do in terms of scientific discoveries and experiments in several months of research.

In fact, the commander of the *Columbia* said just before it landed that a space station is needed to conduct important experiments.

Let us remember, it was this type of pioneering research in the past, for our space program, that enabled us to make significant technological breakthroughs like pacemakers and CAT scans to name two.

The mission of the space shuttle *Columbia* is further evidence that we need a space station to enable us to conduct experiments that will provide valuable information about our world and our environment.

When we talk about lessons learned let's mean what we say. Let's not forget what we've been able to accomplish in the past to provide us a better future.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2460

*[Omitted from the Congressional Record of July 24, 1992]*

Mr. INHOFE. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of the bill, H.R. 2460.

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

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HYDE (at the request of Mr. MICHEL), from 1:30 p.m. today and for the balance of the week, on account of death in family.

#### 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. BARRETT) to revise and extend their remarks and include extraneous material:)

Mr. ROGERS, for 5 minutes, today.

Mr. GALLEGLEY, for 5 minutes, today.

Mr. PORTER, for 5 minutes, today.

(The following Members (at the request of Mr. BACCHUS) to revise and extend their remarks and include extraneous material:)

Mr. JONTZ, for 5 minutes, today.

Mr. WOLPE, for 5 minutes, today.

Mr. MCCLOSKEY, for 5 minutes, today.

Mr. ALEXANDER, for 5 minutes, today.

Mr. KOPETSKI, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. ASPIN, for 5 minutes, today.

Ms. NORTON, for 60 minutes, today.

Mr. WOLPE, for 5 minutes each day, on July 20 and 30.

Mr. JONTZ, for 5 minutes each day, on July 29 and 30, August 4, 5, 6, 11, and 12.

Ms. NORTON, for 60 minutes, on July 29.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BARRETT) and to include extraneous matter:)

Mr. MARLENEE.

Mr. LENT.

Mr. HUNTER.

Mr. LIGHTFOOT.

Mr. MCEWEN in two instances.

Mr. GUNDERSON.

Mr. MCCOLLUM.

Mr. BOEHLERT.

(The following Members (at the request of Mr. BACCHUS) and to include extraneous matter:)

Mr. FALEOMAVAEGA in five instances.

Mr. BROWN.

Mr. TRAFICANT.

Mr. JOHNSON of South Dakota.

Mr. ASPIN.

Mr. TORRES.

Mr. HOYER.

Mr. SKELTON.

Mr. MCMILLEN of Maryland.

Mr. ACKERMAN.

Mr. LIPINSKI.

Mr. REED.

Mr. BREWSTER.

Mr. BACCHUS.

Mr. MAZZOLI in two instances.

Mr. MOODY.

#### ADJOURNMENT

Mr. DELAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 29, 1992, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4009. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to enhance the ability of the Department of Defense to provide counterdrug-related support in response to certain specific types of requests from law enforcement agencies; to the Committee on Armed Services.

4010. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-263, "District of Columbia Health Occupations Revision Act of 1985 Temporary Licensure of Social Workers Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

4011. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-264, "Foster Care Goals of

1983 Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

4012. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-265, "Holy Land Spiritual Temple Equitable Real Property Tax Relief Extension Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

4013. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-266, "Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983 Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

4014. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-267, "Harvest Assembly of God Equitable Real Property Tax Relief Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

4015. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-268, "Medicare Supplement Insurance Minimum Standards Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

4016. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-269, "Public Transit Escalator and Elevator Safety Amendment Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

4017. A letter from the Chairman, Council of the District of Columbia, transmitting District of Columbia Council: Copies of acts passed requiring congressional review, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

4018. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-270, "Islamic Way Designation Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

4019. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-271, "Traffic Adjudication and Motor Carrier Safety Amendment Act of 1992," pursuant to D.C. Code, Section 1-233(c)(1); to the Committee on the District of Columbia.

4020. A letter from the Secretary of Education, transmitting notice of final priority for fiscal years 1992 and 1993—Dwight D. Eisenhower National Program for Mathematics and Science Education—State Curriculum Frameworks for Mathematics and Science, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

4021. A letter from the Chairman, John F. Kennedy Center for the Performing Arts, transmitting the 1991 annual report of operations for the John F. Kennedy Center for the Performing Arts, pursuant to 20 U.S.C. 761(c); to the Committee on Education and Labor.

4022. A letter from the Advisory Panel on Alzheimer's Disease, Department of Health and Human Services, transmitting the fifth report on administrative and legislative actions to improve services for individuals with Alzheimer's Disease and related dementias, pursuant to 42 U.S.C. 679; to the Committee on Energy and Commerce.

4023. A letter from the Vice President, Farm Credit Bank of Springfield, transmitting the annual report on the retirement sys-

tem for the Farm Credit Banks of Springfield Retirement Plan for the plan year ending December 31, 1991, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

4024. A letter from the Secretary, Department of the Interior, transmitting notice of a final application for the Fort McDowell Indian Community, AZ, pursuant to 43 U.S.C. 422d; to the Committee on Interior and Insular Affairs.

4025. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to authorize the creation of a Persian Gulf registry program; to the Committee on Veterans' Affairs.

4026. A letter from the Chairman, National Commission on Acquired Immune Deficiency Syndrome, transmitting the Commission's report entitled "Housing and the HIV/AIDS Epidemic"; jointly, to the Committees on Banking, Finance and Urban Affairs and Energy and Commerce.

4027. A letter from the Chairman, Railroad Retirement Board, transmitting the Board's management improvement report; jointly, to the Committees on Energy and Commerce and Ways and Means.

4028. A letter from the Secretary of Energy, transmitting a draft of proposed legislation entitled "Alaska Power Administration Sale Authorization Act"; jointly, to the Committees on Interior and Insular Affairs, Public Works and Transportation, Energy and Commerce, Government Operations, and Ways and Means.

#### 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. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 5323. A bill to promote a peaceful transition to democracy in Cuba through the application of appropriate pressures on the Cuban Government and support for the Cuban people; with an amendment (Rept. 102-615, Pt. 2). Ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. 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, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 5352. A bill to coordinate and promote Great Lakes activities, and for other purposes; with an amendment (Rept. 102-742, Pt. 1). Ordered to be printed.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 5649. A bill to amend the Internal Revenue Code of 1986 to phase out the occupational taxes relating to distilled spirits, wine, and beer and to impose the tax on diesel fuel in the same manner as the tax on gasoline (Rept. 102-745). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 5655. A bill to amend the Internal Revenue Code of 1986 to restore the prior law treatment of corporate reorganizations through the exchange of debt instruments, and for other purposes (Rept. 102-744). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 5657. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of deposits under certain perpetual insurance policies (Rept. 102-745). Referred to the Committee of the Whole House on the State of the Union.

Ms. SLAUGHTER: Committee on Rules. House Resolution 529. Resolution providing for consideration of the bill (H.R. 5679) making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1993, and for other purposes (Rept. 102-747). Referred to the House Calendar.

Mr. FROST: Committee on Rules. House Resolution 530. Resolution waiving certain points of order during consideration of the bill (H.R. 5678) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1993, and for other purposes (Rept. 102-748). Referred to the House Calendar.

#### REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 5419. A bill to amend the Marine Mammal Protection Act of 1972 to authorize the Secretary of State to enter into international agreements to establish a global moratorium to prohibit harvesting of tuna through the use of purse seine nets deployed on or to encircle dolphins or other marine mammals, and for other purposes; with an amendment; referred to the Committee on Ways and Means for a period ending not later than August 3, 1992, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(v), rule X (Rept. 102-746, Pt. 1). Ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PICKLE:

H.R. 5697. A bill to amend titles II and XVI of the Social Security Act to provide for presumptive disability, in connection with an application for benefits thereunder based on disability, upon failure to make a timely disability determination on the basis of such application or to take timely action to implement such a determination; to the Committee on Ways and Means.

By Mr. BILBRAY:

H.R. 5698. A bill to extend the existing suspension of duty on three-dimensional cameras; to the Committee on Ways and Means.

By Mr. BOEHLERT (for himself, Mr. WALSH, Mr. MCGRATH, Mr. MCHUGH, Mr. SOLOMON, and Mr. HOUGHTON):

H.R. 5699. A bill to amend the Tariff Act of 1930 to prevent the circumvention or diversion of antidumping and countervailing duty orders; jointly, to the Committee on Ways and Means.

By Mr. SOLOMON:

H.R. 5700. A bill to amend the Congressional Budget and Impoundment Control Act

of 1974 to establish procedures for the expedited consideration by the Congress of certain proposals by the President to rescind amounts of budget authority; jointly, to the Committees on Rules and Government Operations.

By Mr. COBLE:

H.R. 5701. A bill to provide for the liquidation or reliquidation of a certain entry of warp knitting machines as free of certain duties; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mrs. COLLINS of Illinois, Mr. WAXMAN, Mr. NEAL of North Carolina, Mr. LANTOS, Mr. TOWNS, Mr. KLECZKA, Mr. BUSTAMANTE, Mr. MARTINEZ, Mr. PAYNE of New Jersey, Mrs. MINK, Mr. PETERSON of Minnesota, Mr. COX of Illinois, Mr. MILLER of California, and Mr. SANDERS):

H.R. 5702. A bill to amend section 552b of title 5, United States Code, popularly known as the Government in the Sunshine Act, to ensure that all oral and written communications concerning a regulatory action are publicly disclosed and to authorize appropriations for the Office of Information and Regulatory Affairs of the Office of Management and Budget; to the Committee on Government Operations.

By Mr. GALLEGLY:

H.R. 5703. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish provisions regarding the composition and labeling of dietary supplements; to the Committee on Energy and Commerce.

By Mr. HOLLOWAY:

H.R. 5704. A bill to extend until January 1, 1996, the existing reduction of duty on caffeine; to the Committee on Ways and Means.

By Mr. MCCOLLUM:

H.R. 5705. A bill to provide greater availability of credit from savings associations by authorizing the Director of the Office of Thrift Supervision to grant temporary, limited exceptions to the separate capitalization requirement; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MCDERMOTT (for himself and Mrs. UNSOELD):

H.R. 5706. A bill to amend the Internal Revenue Code of 1986 to restore fair limits on pension benefits for working Americans covered by collectively bargained, labor-management retirement plans; to the Committee on Ways and Means.

By Mr. MOODY:

H.R. 5707. A bill to amend title XVIII of the Social Security Act to require a condition of participation in the Medicare Program that hospitals disclose the costs incurred by the hospital in providing services to patients; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. SOLARZ:

H.R. 5708. A bill to establish an Office of Cambodian Genocide Investigation, to support efforts to bring to justice national Khmer Rouge leaders who committed crimes against humanity in Cambodia; to the Committee on Foreign Affairs.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to the public bills and resolutions as follows:

H.R. 53: Mr. SISISKY.  
H.R. 66: Mr. TRAXLER, Mr. PICKLE, Mr. MFUME, Ms. KAPTUR, and Mr. RAHALL.  
H.R. 576: Mr. SWETT.  
H.R. 759: Mr. ALLEN.  
H.R. 1108: Mr. BLAZ.

H.R. 1251: Mr. DOWNEY.  
 H.R. 1310: Mr. ANNUNZIO, Mr. BEREUTER, Mr. COUGHLIN, Mr. COLORADO, Mr. DANNEMEYER, Mr. GUNDERSON, Mr. KASICH, Mr. MCCANDLESS, Mr. MARKEY, Mr. PANETTA, Mr. SMITH of New Jersey, Mr. WELDON, Mr. SCHIFF, and Mr. SCHEUER.  
 H.R. 1312: Mr. GUNDERSON and Mr. SCHEUER.  
 H.R. 1423: Mr. AUCOIN.  
 H.R. 1536: Mr. SWETT.  
 H.R. 1546: Mr. SCHAEFER.  
 H.R. 1771: Mr. MARLENEE.  
 H.R. 2070: Mr. COBLE.  
 H.R. 2083: Mr. KOLTER.  
 H.R. 2768: Mr. COLEMAN of Missouri.  
 H.R. 2966: Mr. ASPIN.  
 H.R. 3026: Mr. GEJDENSON.  
 H.R. 3071: Mr. HOLLOWAY and Mr. GUARINI.  
 H.R. 3236: Mr. HAMMERSCHMIDT, Mr. JENKINS, Mr. HEFNER, Mr. RICHARDSON, Mr. STENHOLM, Mr. PAYNE of Virginia, Mr. PARKER, and Mr. HARRIS.  
 H.R. 3475: Mrs. LOWEY of New York, Mrs. JOHNSON of Connecticut, Mr. ANDREWS of New Jersey, Mr. MILLER of California, Mr. GUARINI, Mr. CONYERS, Mr. CARDIN, and Mr. ACKERMAN.  
 H.R. 3476: Mrs. LOWEY of New York, Mrs. JOHNSON of Connecticut, Mr. ANDREWS of New Jersey, Mr. MILLER of California, Mr. GUARINI, Mr. CONYERS, Mr. CARDIN, and Mr. ACKERMAN.  
 H.R. 3710: Mr. YATES.  
 H.R. 3939: Mr. LANTOS, Mr. KILDEE, Mr. PANETTA, and Mr. ARCHER.  
 H.R. 3971: Mr. BROWDER.  
 H.R. 3975: Mr. TORRICELLI, Mr. SABO, and Mr. ANDREWS of New Jersey.  
 H.R. 4045: Mr. NEAL of Massachusetts and Mr. STOKES.  
 H.R. 4046: Mr. OWENS of New York, Mr. WEISS, Mr. JONTZ, Mr. TAYLOR of North Carolina, Mr. DARDEN, Mrs. LOWEY of New York, Mr. BEREUTER, Mr. PASTOR, Mr. CHAPMAN, Mr. COLEMAN of Texas, Mr. PETERSON of Florida, Mr. BARNARD, Mr. ERDREICH, and Mr. JOHNSON of South Dakota.  
 H.R. 4124: Mr. SWETT.  
 H.R. 4175: Mr. ANDREWS of New Jersey.  
 H.R. 4178: Mr. BEILLENSON.  
 H.R. 4319: Mr. MCCREERY.  
 H.R. 4414: Mr. DEFAZIO.  
 H.R. 4429: Mr. PALLONE, Ms. NORTON, and Mr. MURTHA.  
 H.R. 4754: Mr. MOORHEAD and Mr. BERMAN.  
 H.R. 4775: Mr. DIXON.  
 H.R. 4784: Mrs. LOWEY of New York.  
 H.R. 4929: Mr. SOLOMON.  
 H.R. 4930: Mr. SPENCE.  
 H.R. 4961: Mr. ARCHER.  
 H.R. 5008: Mr. HOYER.  
 H.R. 5011: Mr. OWENS of New York and Mr. MORAN.  
 H.R. 5141: Mr. EVANS.  
 H.R. 5156: Mr. MARKEY, Mr. SMITH of Florida, Mr. SOLOMON, and Mr. CARDIN.  
 H.R. 5176: Mr. ANDREWS of New Jersey and Mr. SANDERS.  
 H.R. 5208: Mr. WOLPE.  
 H.R. 5237: Mr. THOMAS of Wyoming.  
 H.R. 5290: Mr. ANDREWS of New Jersey.

H.R. 5360: Mr. PALLONE.  
 H.R. 5367: Mr. HALL of Ohio, Mr. DICKS, Mrs. LLOYD, Mr. ACKERMAN, Mr. LEWIS of Florida, Mr. EVANS, Mr. TOWNS, Mr. KOLTER, Mr. ERDREICH, Mr. RAHALL, Mr. HOCHBRUECKNER, Mr. MCMILLEN of Maryland, Mr. THOMAS of Georgia, and Mr. JOHNSON of South Dakota.  
 H.R. 5370: Mr. BAKER.  
 H.R. 5416: Mr. ENGEL.  
 H.R. 5419: Mr. SWETT, Ms. KAPTUR, Mr. HAYES of Louisiana, Mr. WYLIE, Mr. FAWELL, and Mr. COLORADO.  
 H.R. 5436: Mr. BARNARD, Mr. PETERSON of Minnesota, Mr. HATCHER, Mr. KOPETSKI, Mr. HERTEL, Mr. CLINGER, Mr. HAYES of Illinois, and Mr. OLVER.  
 H.R. 5445: Mr. BARNARD, Mr. PETERSON of Minnesota, Mr. HATCHER, Mr. KOPETSKI, Mr. HERTEL, Mr. CLINGER, Mr. HAYES of Illinois, Mr. BEREUTER, and Mr. EWING.  
 H.R. 5542: Mr. PACKARD, Mr. RAMSTAD, and Mr. DORNAN of California.  
 H.R. 5591: Mr. RIGGS, Mr. BARNARD, Mr. LEWIS of Florida, and Mr. DICKINSON.  
 H.R. 5596: Mr. HEFLEY, Mr. COX of California, and Mr. BURTON of Indiana.  
 H.R. 5681: Mr. ANDERSON, Mr. OWENS of New York, Mr. WISE, Mr. BOUCHER, Mr. KOSTMAYER, and Mr. GEJDENSON.  
 H.J. Res. 353: Mr. ANDERSON, Mr. CARDIN, Mr. COSTELLO, Ms. HORN, Mr. JACOBS, Mr. LEHMAN of California, Mr. MARKEY, Mr. MILLER of Washington, Mrs. MINK, Mr. SISISKY, Mr. WASHINGTON, and Mr. WHEAT.  
 H.J. Res. 391: Mr. BUSTAMANTE.  
 H.J. Res. 422: Mr. GUNDERSON, Mr. HEFNER, and Mr. HYDE.  
 H.J. Res. 453: Mr. SABO, Mr. RAHALL, Mr. OBERSTAR, Mr. BREWSTER, Mr. DARDEN, Mr. GAYDOS, Mr. GEREN of Texas, Mr. GLICKMAN, Mr. HOBSON, Mr. HOPKINS, Mr. KANJORSKI, Mr. RHODES, Mrs. KENNELLY, Mr. LAROCO, Mrs. LOWEY of New York, Mr. MORAN, Mr. MURPHY, Mr. OLVER, Mr. PAXON, Ms. PELOSI, Mr. RICHARDSON, Mr. ROEMER, Mr. STARK, Mr. SWIFT, Mr. STUMP, Mrs. UNSOELD, Mr. YATRON, Mr. ACKERMAN, Mr. BERMAN, Mr. BROWN, Mr. HALL of Texas, Mr. JONTZ, Mr. KENNEDY, Mrs. LLOYD, Mr. MANTON, Mr. MCDERMOTT, Mr. MOLLOHAN, Mr. MRAZEK, Mr. LANTOS, Mr. TORRICELLI, and Mr. STENHOLM.  
 H.J. Res. 455: Mr. MOORHEAD and Mr. MOODY.  
 H.J. Res. 467: Mr. LEVINE of California, Mr. RAVENEL, Mr. RHODES, Mr. ROYBAL, Mr. RIGGS, Mrs. VUCANOVICH, Mr. TALLON, Mr. ESPY, Mr. BILBRAY, Mr. JOHNSON of South Dakota, Mr. GUNDERSON, Mr. MAVROULES, Mr. RAMSTAD, Ms. NORTON, Mr. LENT, Mr. HARRIS, Mr. VANDER JAGT, Mr. HEFNER, Mr. CRAMER, Mr. SKEEN, Mr. WOLF, Mr. BACCHUS, Mr. STARK, Mr. GORDON, Mr. HORTON, Mr. SERRANO, Mr. HUGHES, Mr. LEHMAN of California, Mr. MCKNULTY, Mr. ROSE, Mr. POSHARD, Mr. REGULA, Mr. ECKART, Mr. MONTGOMERY, Mr. VALENTINE, Mr. ROEMER, Mr. PAYNE of Virginia, Mr. BREWSTER, Mr. SABO, Mr. HAYES of Louisiana, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. BROWDER, Mr. DWYER of New Jersey, Mr.

DANNEMEYER, Mr. KASICH, Mr. MCCLOSKEY, Mr. BUSTAMANTE, Mr. SANDERS, Mr. HAYES of Illinois, Mr. FRANKS of Connecticut, Mr. BORSKI, Mr. HUNTER, Mr. MURPHY, Mr. DORNAN of California, Mr. COSTELLO, Mr. TAUZIN, Mr. DEFAZIO, Mr. TRAFICANT, Mr. PAXON, Mr. DICKS, Mr. CHAPMAN, Mr. DE LUGO, Mr. YATRON, Mr. YOUNG of Alaska, Mr. CAMP, Mr. TRAXLER, Mr. PURSELL, Mr. HYDE, Mr. HAMILTON, Ms. LONG, Mr. EVANS, Mr. QUILLEN, Mr. NAGLE, Mr. GILMAN, Mr. LEACH, Mr. ANDERSON, Mrs. MINK, and Mr. SCHUMER.  
 H.J. Res. 478: Mr. MAZZOLI.  
 H.J. Res. 479: Mr. GEREN of Texas and Mr. WHITTEN.  
 H.J. Res. 483: Mr. ROE.  
 H.J. Res. 503: Mr. DARDEN, Mr. DELLUMS, Mr. MATSUI, Mr. PALLONE, Mr. PAYNE of New Jersey, Mr. SABO, Mr. SARPALIUS, Mrs. KENNELLY, Mr. FLAKE, Mr. MRAZEK, and Mr. MINETA.  
 H.J. Res. 520: Mr. HATCHER, Mr. SPRATT, Mr. STALLINGS, and Mr. TOWNS.  
 H. Con. Res. 296: Mr. RAY, Mr. RICHARDSON, Mr. SCHIFF, Mr. SHAYS, Mr. SANTORUM, Ms. MOLINARI, Mr. SABO, Mr. BROWDER, Mr. SANDERS, Mr. BARNARD, Mr. LAFALCE, Mr. OBERSTAR, Mrs. BOXER, Mr. PARKER, Mr. ABERCROMBIE, Mr. MANTON, Mrs. PATTERSON, Mr. REED, Mr. SCHEUER, Mrs. SCHROEDER, Mrs. JOHNSON of Connecticut, Mr. RAMSTAD, Mr. BORSKI, Mr. ROE, Mr. JOHNSON of South Dakota, Mr. THOMAS of Georgia, Mr. MAZZOLI, Mr. BONIOR, and Mr. RINALDO.  
 H. Con. Res. 344: Mr. ENGEL, Mr. SOLARZ, Mr. BRYANT, Mr. ACKERMAN, and Ms. HORN.  
 H. Res. 515: Mr. DORGAN of North Dakota, Mr. MCCLOSKEY, Mr. BUSTAMANTE, and Mrs. BOXER.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 5678

By Mr. CUNNINGHAM:

—Page 59, after line 11, insert the following:  
 MILITARILY USEFUL VESSEL OBLIGATION  
 GUARANTEES

For the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, of guaranteed loans authorized by the Merchant Marine Act of 1936, \$50,000,000: *Provided*, That the guaranteed loans made by the Secretary of Transportation, at the request of the Secretary of Defense, are only for types and classes of vessels determined by the Secretary of Defense, in consultation with the Secretary of Transportation, to be capable of serving as a naval and military auxiliary in time of war or national emergency.

In addition, for administrative expenses to carry out the guaranteed loan program, \$2,800,000, which may be transferred to and merged with the Operations and Training appropriations for the Maritime Administration.

## SENATE—Tuesday, July 28, 1992

(Legislative day of Thursday, July 23, 1992)

The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by the Acting President pro tempore [Mr. LIEBERMAN].

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

*\*\*\* they that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run, and not be weary, and they shall walk, and not faint.—Isaiah 40:31.*

Gracious Father in heaven, in a day like this, public persons are under a constant barrage of criticism from the media, the press, and the public. They are tough, they know it is the price of leadership, but they have got to be hurting. Despite their sincere commitment to change and their desire to make it happen, they are often misunderstood, even by their peers.

I pray for these public servants for whom hurting is virtually a daily experience, that You will sustain them, encourage them, and empower them to fulfill their responsibility, however great the resistance to their efforts. Bless their families who hurt with them, and their staffs, and remind them of Your love, understanding, and care when they have nowhere else to turn. Keep them, Lord, in Your love. Amen.

## RESERVATION OF LEADERSHIP TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m., with Senators permitted to speak therein for up to 5 minutes each.

The first 30 minutes shall be under the control of the majority leader or his designee.

Under the previous order, the Senator from Washington [Mr. GORTON] will be recognized to speak for up to 10 minutes and the Senator from Indiana [Mr. COATS] will be recognized to speak for up to 5 minutes.

Mr. PRYOR addressed the Chair.

The ACTING PRESIDENT pro tempore. The Chair recognizes the senior Senator from Arkansas [Mr. PRYOR].

MANDATORY LIVE QUORUM WAIVED ON CLOTURE VOTE ON THE MOTION TO PROCEED TO H.R. 776

Mr. PRYOR. Mr. President, on behalf of the majority leader, I ask unanimous consent that the mandatory live quorum, as required under rule XXII, be waived in relation to the cloture vote on the motion to proceed to H.R. 776.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## DEFENSE TRANSITION PROPOSALS IN COMMERCE, JUSTICE, STATE APPROPRIATIONS BILL

Mr. PRYOR. Mr. President, this morning, I wish to commend the chairman and the ranking member of the Commerce, Justice, State, and Judiciary Appropriations Subcommittee, Senator HOLLINGS of South Carolina and Senator RUDMAN of New Hampshire, for the very, very fine bill that they brought to the floor yesterday and which we will continue to debate and discuss on this legislative day.

I particularly want to compliment these two fine Senators for the portion of that bill which allocates \$229 million for defense economic transition programs.

We are all aware that over the next few years the United States is going to face a significant economic disruption as a result of lower defense spending. Currently, 34 military bases around the country are closing; another 48 are being realigned; up to 350,000 defense workers will lose their jobs each year through 1997. That is 1,000 jobs lost each day through 1997. Over the period of 1992 to the year 2001, the Department of Defense outlays for goods and services could decline, it is anticipated and projected by some, as much as 48 percent.

In response to this challenge, the majority leader, Senator MITCHELL, last March appointed a task force composed of 21 Democratic Senators. I had the privilege of chairing this task force. It was charged with developing recommendations to help ease the country's transition to a post cold war budget environment. This task force issued its recommendations on May 21 of this year.

I would like to say that the distinguished occupant of the chair, the Senator from Connecticut [Mr. LIEBERMAN] contributed mightily and constructively to the recommendations in this

task force, and his expertise and continued diligence will always be appreciated and noticed.

A week after the Senate Democratic Task Force on Defense Transition released its report, President Bush responded with his own set of defense conversion recommendations. Subsequently, a Senate Republican task force, led by Senator WARREN RUDMAN, of New Hampshire, issued a very fine defense conversion report of its own.

Since releasing our report, the Senate Democrats have worked to implement our defense transition recommendations and today we see some of the first fruits of that labor. The Commerce, Justice, State, and Judiciary Appropriations Subcommittee under Senator HOLLINGS and ranking member, Senator RUDMAN, has this year put additional funds into three programs identified by our task force specifically for the purpose of defense conversion.

Let me also say, Mr. President, that this is not a partisan matter. This is not just something Democrats are doing; not just something Republicans are doing. But, hopefully, we are putting partisanship aside to join together with Senator RUDMAN and his findings and our task force on the Democratic side, to do something that is very necessary in the field of economic transition.

This legislation that we take up again today is going to provide for an additional \$109 million to the Department of Commerce's National Institute of Standards and Technology, or NIST. This money will fund NIST manufacturing technology centers.

Mr. President, around here we know these technology centers as Hollings centers, after the very distinguished Senator from South Carolina who had the original concept for these centers. I think from now on, especially now, we are going to give them increased emphasis. I think Hollings centers are going to be very much a part of our economic transition and conversion process.

These centers are going to reach out to small and medium-sized defense firms, provide them with advanced technology and processes to help them make the transition to commercial industry. The money will also fund grants for critical technology partnerships with industry through the NIST Advanced Technology Program.

These grants will in the short run provide new commercial opportunities for defense firms, and in the long run

\* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

will spur productivity and economic growth, which will replace and eventually surpass the economic activity currently generated by the defense sector of the economy. NIST's State Technology Extension Program is also eligible to receive some of the defense transition funds appropriated in this bill.

These provisions from the commerce appropriations bill implement recommendations from part III, sections A and B of our task force report.

Second, this bill appropriates \$80 million to the Department of Commerce's Economic Development Agency, or EDA, for the purpose of providing economic adjustment grants to defense-impacted communities across our country. This office, I am sorry to say, has been targeted for elimination by the White House every year since the early 1980's. Fortunately, the Bush administration has recently done an about-face and now supports funding for the Economic Development Administration.

The grants given out by the EDA will help adversely impacted communities foster new business activity and replace the disappearing defense activity. This provision of the Commerce appropriations bill implements a recommendation from part II, section B of our task force report.

Finally, the bill appropriates \$40 million for small business loan guarantees through the Small Business Administration, for businesses adversely affected by the lower defense spending and for the establishment of businesses by individuals separated from the armed services and from defense industries due to reduced defense budgets. This \$40 million in loan guarantees will leverage over \$735 million in private loans to help communities adjust, to encourage voluntary separation from the military, and to reward those soldiers, sailors, airmen, and defense workers who served their country during the cold war. This provision from the Commerce appropriations bill implements a recommendation from part II, section C of the task force report.

I want to call on President Bush and his administration to support these recommendations and help implement them once this bill comes back from conference and is approved by the full Congress. These provisions are about creating economic growth, creating jobs, and putting American industry back into high gear. The thousands of communities and hundreds of thousands of individuals who secured the defense of our country through the long dark years of the cold war who made those sacrifices, are going to have their lives disrupted over the next few years. These are people and places who will truly be hurting. They will with thanks, long remember any assistance that we provide them today, and they will with anger, not soon forget if we fail to provide this assistance.

Mr. President, should anyone think the recommendations in the Commerce, Justice, State appropriations bill represent the extent of the Senate's defense transition effort, let me mention that the Senate Armed Services Committee just last week reported its 1993 Defense authorization bill which contains numerous defense transition provisions. In addition to provisions that will assist communities and industries, as the Commerce appropriations bill does, the Armed Services Committee bill also contains numerous initiatives to assist individuals who will lose their jobs in the armed services and in defense industries because of reduced defense budgets.

I will be back here to discuss this subject further when Senator NUNN brings his bill to the floor. For now I particularly want to thank Senator HOLLINGS, the chairman of the subcommittee, and praise him for his work, not only for his bill but also for the contributions he made as a member of the task force.

I would also like to thank and commend two members of his staff, Pat Windham and Scott Gudes, who made invaluable contributions to the work of the task force.

I also want to thank the chairman of the full Appropriations Committee, the President pro tempore of the Senate, Senator ROBERT C. BYRD, for his very valuable support of the task force report and our efforts.

My thanks also go out to two members of Senator BYRD's staff, Jim English and Dick D'Amato, who have been very, very supportive as well in guiding and developing this legislation and bringing it to the floor.

Also, Mr. President, the staff of Senator RUDMAN has been very, very helpful as we have developed this legislation, bringing it to the floor and bringing it to this point.

On my staff, Mr. President, I would like to thank Desten Broach, who has worked tirelessly in this effort, and Kirk Robertson, who has basically chaired the staff work for this particular report.

In closing, I would like to make all of my colleagues aware of a column on the subject of defense conversion which appeared on the front page of yesterday's Wall Street Journal. This column points out some of the extreme difficulties inherent in trying to convert our defense industrial complex to civilian commercial purposes, difficulties of an economic, technical, and policy nature. The column points out that if we do not take united action to chart a new economic course, "the end of the cold war would turn out to be one of the greatest moments in history that nobody could seize."

I urge my colleagues to support these transition proposals so that we can seize this historic moment.

Mr. President, I ask unanimous consent that a copy of the article in the

Wall Street Journal of yesterday just referred to be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, July 27, 1992]  
DEFENSE CONVERSION VS. DEFICIT REDUCTION

WASHINGTON.—America won the Cold War, but nobody seems to be able to figure out what to do with the spoils of victory.

For more than 40 years, the U.S. pumped vast resources into combating the Soviet threat. Now everybody agrees the time has come to shift those resources to pressing domestic needs. And it's not just funding that has been freed up. The defense establishment also represents an extraordinary investment in brain power.

Some 15% of U.S. scientists and engineers are involved in defense-related work, many of them engaged in cutting-edge research. Just last week, while heralding the end of the Cold War as "the most important event of our generation," Treasury Secretary Nicholas Brady invoked the words of Dwight Eisenhower: "A world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children."

But coming up with a sound plan to tap this high-tech talent won't be easy. With a \$350 billion budget deficit, the government cannot simply shift to domestic programs the money that would have been spent by the Pentagon. Some economists think the country will wake up to find that the Red Ink is a lot more menacing than the Red Scare. "In a sense, we financed the military budget on borrowed money," says economist Murray Weidenbaum, formerly an adviser to President Reagan.

Every dollar spent on well-intentioned programs for easing the transition to a peacetime economy is a dollar that can't be devoted to paying down the debt. "If the peace dividend is consumed, the economy will sacrifice the longer-term gains—including lower real interest rates, higher capital formation and, ultimately, higher living standards—that follow deficit reduction," the Congressional Budget Office warns.

On top of that, it is difficult to redeploy troops effectively when the government's first concern is administering triage. Several economic models estimate that 200,000 to 500,000 defense industry workers and Pentagon personnel will lose their jobs every year for the next five years. Certain communities, from California to Connecticut, are being hit disproportionately hard. Already, the downsizing "has been retarding near-term economic growth," says Federal Reserve Chairman Alan Greenspan.

To dull the pain, the White House says it has set aside more than \$7 billion over the next two years for "defense transition" projects. But the bulk of this is for long-established programs such as Pell Grants for education and veterans' home-loan guarantees. The President has introduced a few innovative measures—one plan, for instance, would offer incentives for soldiers and bomb builders to become teachers—but most of these are relatively small.

For its part, the House has approved a \$1 billion "defense reinvestment package" for next year that seeks, among many other things, to spur defense companies to develop commercial products. And the Senate Armed Services Committee on Friday authorized \$1.2 billion for "defense conversion assistance."

Yet while some companies may succeed at commercial work, many more are likely to

fail. General Dynamics is convinced that even with the shrinking pie, the best course is to stick to making military hardware. Investor Warren Buffett evidently thinks it is the right strategy; last week, he snapped up a 15% stake in the company.

After all, the track record of defense firms trying to serve commercial markets is poor. Companies used to dealing with one customer—the Pentagon—often can't cope with the mass-production and marketing requirements of the civilian sector. The same holds for the government's vast network of laboratories. "You can't just say to a lab that's been working on nuclear weapons, 'OK, now you go to work on computers or automobiles,'" says Harold Brown, who was Jimmy Carter's defense secretary.

Mr. Brown recently headed a National Academy of Sciences panel that called for the creation of a \$5 billion Civilian Technology Corp. in which government and industry would work together to promote the commercialization of high-tech products.

Pledging similar solutions is the Democratic presidential candidate, Bill Clinton. He has vowed to devote erstwhile defense dollars to new communication, transportation and environmental systems. But it is far from clear that Mr. Clinton can pay for all that he promises without giving up on deficit reduction altogether.

And even if the books balance, there still is a more fundamental question: How will the White House and Congress ever agree on which industries should reap the most benefit from these new programs? Fighting the Russians was one priority that politicians in both parties could safely rally around. Forging a consensus for the new domestic agenda will be much tougher. "Ill-conceived programs can waste a lot of money in a big hurry," acknowledges House Armed Services Committee Chairman Les Aspin.

One answer is to let the marketplace run its course. Eventually, the law of supply and demand should shift resources to those areas that make the most sense. But that may take decades. And in the meantime, "a lot of the brain power will just be lost," laments Richard Belous, senior economist at the National Planning Association.

If that happens, the end of the Cold War would turn out to be one of the greatest moments in history that nobody could seize.—RICK WARTZMAN.

Mr. PRYOR. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I rise to join the distinguished occupant of the chair, my friend and colleague from Arkansas, in congratulating the chairman of the Subcommittee on Commerce, Justice, and State appropriations, and the ranking minority member, for the extraordinary work that they have done in the matter that they bring before the Senate at this time.

But before doing so, I want to compliment my friend and colleague, the

distinguished occupant of the chair, for his extraordinary leadership of the Senate Defense Conversion Task Force, because it is that task force that has provided the foundation for much of what is in this proposal from this subcommittee, and much that will follow that is critical to so many States and cities and towns and communities and, most of all, companies and thousands of workers who have, as the Senator from Arkansas said, really been in some sense the unsung veterans of the cold war, which we won.

I can tell you, coming from Connecticut, which is a State that has enjoyed a lot of defense work—and we are proud of the fact that since Revolutionary times, we have thought of ourselves as the arsenal of democracy—nonetheless, as the cold war ends and defense budgets become smaller, we are feeling the pangs of that transition.

The work that the Defense Conversion Task Force has done, under the leadership of the Senator from Arkansas, really provides us with the brightest rays of hope that we have been given. I particularly compliment the chairman of the task force not only for dealing with the specifics of defense transition, of trying to assist the communities and companies and workers to make this transition—retraining the workers, for instance—but for going one beyond that and recognizing that unless the Government helps business create new jobs for the people who used to work in the defense industry, all the retraining in the world that we give them is not going to mean very much, because they are still going to be unemployed.

The truth is, in the defense industry and in too many other industries that have been hit by the recession that we are in today in this country, jobs are being not just temporarily vacated; I am afraid jobs are being canceled. Old jobs are being canceled. This economy of ours is generally going through a transition and, therefore, the answer, the only answer that we can give, which is an answer of hope to people who are unemployed, or fearful of being unemployed, is to create new jobs.

The Defense Conversion Task Force has recognized that in its work. I must say, this Subcommittee on Commerce, Justice, and State appropriations has done the same. The chairman, the Senator from South Carolina [Mr. HOLLINGS] has been a leader in this critical work.

The fact is that in 1988, in the Trade Act, the Senator from South Carolina, in his wisdom, transformed the National Institute of Standards into the National Institute of Standards and Technology, creating a center that American high technology firms could turn to for funding research and development of cutting-edge technologies.

That is just what we are talking about. Making sure—as our colleague,

Senator MIKULSKI from Maryland, often says—that we in America not only win the Nobel Prizes for great research, but that we commercialize that research so we sell the products that are the result of it. Too often, we have done the breakthrough science, and it is our friends in Japan or Europe who have commercialized it, for instance, with the fax machine or the VCR.

Senator HOLLINGS not only created NIST, but he went the additional step, which is to make sure that those programs of NIST, which are so important to creating new jobs, are adequately funded. He, of course, has been supported in this by the ranking Republican and by the subcommittee in this subcommittee bill.

The subcommittee has taken one-fourth of the function 050 national defense allocation for economic transition by defense-dependent firms and communities, and that includes \$80 million in Economic Development Administration grants to assist defense-dependent communities, and \$40 million to subsidize small business loans which, as the Senator from Arkansas pointed out, will leverage out to a very impressive total of \$735 million in loans for the many small businesses across the Nation that have been hard hit by defense cuts.

Mr. President, when we think of defense cuts, we think in our State of Electric Boat, of Sikorsky, and in other States, of McDonnell Douglas, and the rest. But there is a whole network of smaller businesses dependent on those larger, well-known companies that are hurting, and we need to help.

This bill also provides \$109 million for grants in research through the NIST grants technology program and the manufacturing technology centers, both of which are critical to making sure that American Government helps American business create new jobs, just as Japanese Government helps Japanese business do it, and the European Governments helps European business do it.

The subcommittee also funds an additional \$200 million for the construction of research facilities which will serve to rebuild the infrastructure of NIST itself, as well as enhance its ability to undertake and support cutting-edge research.

Mr. President, all of these programs are part of the national economic leadership strategy that was unveiled under the aegis of the distinguished Senate majority leader on July 1, supported in the long run—in the short run, I am sure, also—not just by Democrats but by Republicans, as well as part of an overall blueprint to get our Nation's economy moving again.

The fact is that we are in danger of becoming a high technology dumping ground for products not made in the USA. Just take a look at the consumer electronics products that most of us

use during the course of a normal day. How many are made today in the United States of America? The sad answer is that very few are. And the situation will only get worse as new technologies develop, which will all depend on—10 or 20 or 30 years from now—if we do not fund programs like the ones contained in this subcommittee bill.

It is time for us to take charge of our economic destiny and get the Government squarely on the side of those businesses that are going to lead our economy into the next century. NIST and its programs are an integral part of that process, and the chairman of the subcommittee, the Senator from South Carolina, and his distinguished ranking minority member, the Senator from New Hampshire, and all the members of the subcommittee, in my opinion, should be applauded for their efforts in this bill.

Mr. President, some of the allocation decisions made in this bill are the kinds that are rarely known, hardly seen, by the public, and yet it is these investments that are made in a bill like this which will really do as much as anything we will do in this Chamber this year to determine the quality of life that we and our children will live in in America in the decades ahead because it will determine whether the products that the world will buy will be made in America and, therefore, whether Americans will have the jobs that will make those products.

Mr. President, I want to say a final word of praise and gratitude to our colleagues on the subcommittee for the increased funding in this bill of the International Trade Administration, especially the U.S. Foreign Commercial Service, the people who we put out there in embassies across the world to help American business sell our products.

The chairman of the subcommittee, the Senator from South Carolina, if I am not mistaken, is the one who has said we have gone now, in this period of our history, from the cold war to the trade wars. If that is true—and I think it is true—we have to begin to make sure we have as many commercial officers in our embassies abroad as we have had intelligence and military officers in them during the cold war. The fact is that every American embassy in every country abroad should not be just a diplomatic outpost. It should be a center of assistance and advocacy for American businesses which are trying to sell products in those countries because the sale of those products creates jobs at home.

The chairman of the subcommittee has had the foresight to realize that the U.S. Foreign Commercial Service will continue to play this increasingly important role in representing American interests abroad as we begin to define those interests in the post-cold war world more in economic terms.

I must say I also appreciate the reference in the bill's report language to increased funding for the Foreign Commercial Service in the newly independent states of the former Soviet Union. The fact is, if we are to help transform those nations' economies, we are going to need a strong Foreign Commercial Service present in each of those nations, and it is that presence which will enable us not only to do good in helping the nations of the former Soviet Union but to do well by creating business opportunities for American companies in those countries.

Mr. President, overall, hats off to the subcommittee and its leadership for one of the best things this Senate will do, not only to get America out of the recession it is in but to get it firmly on the path of longer term economic growth.

I thank the Chair. I yield the floor.

I suggest the absence of a quorum.

Mr. COATS. Mr. President, I ask to proceed for 5 minutes in morning business.

The PRESIDING OFFICER. The Senator may proceed.

#### QUOTING THE SCRIPTURES

Mr. COATS. Mr. President, the Senate opens each session in prayer, and in those prayers our Chaplain often quotes Scripture. I know that Chaplain Halverson always quotes Scripture very carefully rather than to bend it to fit his own purposes. To many of us, the words quoted from Scripture each morning are serious things, in fact, are sacred words, and using them entails serious obligations. They are more than text to be used; they are text to be respected.

Like many Americans, I was impressed when the Democratic candidates for President and Vice President made use of Scripture in their convention speeches. It is a practice in the best tradition of American rhetoric. Those words captured such emotion, they felt so genuine, but afterward, in reflecting on the Scriptural passages quoted by Mr. Clinton and Senator GORE, they did not ring quite true. In fact, when you try to look them up, they are nowhere to be found. In two instances, the passages do not seem to exist as quoted. In one case, the words were changed to convey an entirely different meaning.

In Governor Clinton's speech he said, "As the Scripture says, 'Our eyes have not seen, nor our ears heard, nor our minds imagined what we can build.'" But the passage Mr. Clinton appears to be quoting in Corinthians says nothing of the sort in any version I can find. The Scriptures actually say, "But as it is written, eye hath not seen, nor ear heard, neither have entered into the heart of man, the things which God has prepared for them that love him."

The meaning between Mr. Clinton's version of Scripture and Scripture it-

self could not be more different. Mr. Clinton's version focuses on human effort. The actual Scripture focuses on God's personal blessing to those that give him their heart. In one version, Bill Clinton takes credit. In the other, the Biblical author gives thanks. There is a world of difference between the two.

At another point, Senator GORE quotes, in the words of the Bible, "Do not lose heart, this Nation will be renewed."

For the life of me, I cannot find these words anywhere in my Bible, at least in this form. Perhaps Mr. GORE was using these words as a paraphrase.

Mr. President, I have seen and read the Revised Standard version of the Bible, the King James version, the New International version, the New American Standard version, but the words of Mr. Clinton and Senator GORE used in their acceptance speeches at the Democratic National Convention, the Scriptural quotes that they used, appear not to have come from any authorized version that I know of, perhaps only from the Democratic National Committee version.

All of this, Mr. President, I think points to a double standard. If the Vice President of the United States had made such glaring errors of fact on such important matters as quoting Scripture, there is no doubt in my mind the reception he would have received. There is no doubt in my mind the daily national exposure and lampooning of the Vice President's misuse of Scripture. Yet I have seen barely a ripple or barely a comment over Mr. Clinton's complete misuse of Scripture and Senator GORE's paraphrase which comes nowhere close to anything in Scripture I have ever read or found or researched. If we are going to have standards this exacting for public figures, if we are going to scrutinize every word, let us apply them to everyone, and let us apply them where they really matter like the quoting of Scripture.

Mr. President, I yield the floor.

(Mr. LIEBERMAN assumed the chair.)

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arkansas [Mr. PRYOR].

Mr. PRYOR. Mr. President, I thank the Chair for recognizing me. I was leaving the floor just a moment ago, and I caught the word, something about Governor Clinton, and I inferred from the tone of voice of my good friend and colleague from Indiana that it was not going to be very friendly, so I hung around just a moment.

Mr. President, we are at an interesting juncture in the Senate. I think we are going to have to ask ourselves pretty soon, is this going to be the forum to run a Presidential campaign, this body, this Chamber, 100 of us, with 13 appropriations bills still before us and

many other pieces of legislation that we must complete? Are we going to use the Senate as another convention hall?

Are we going to use the U.S. Senate one morning for the Republicans to talk about the Democrats, the next for the Democrats to talk about the Republicans? I hope that is not going to happen. On three occasions last week that did happen. I must say it started from the other side of the aisle.

I say this respectfully to my colleague from Indiana. I think that when it is done over there it is going to be responded to over here. This morning the Senator from Indiana has talked about the Scriptures, and the interpretations that Governor Clinton has put on the Scriptures.

Mr. President, I cannot speak to that. I have not looked at that. But I want to say something about Governor Clinton. I am very proud, Mr. President, that my friend from Indiana is still here. I do not want to get too many religious overtones here in this body nor in the campaign.

Bill Clinton is a devout believer. He is a devout person. His family is devout. Bill Clinton not only goes to church each Sunday morning but if you look up in the choir at the Emanuel Baptist Church, you will see Governor Clinton in his choir robes. He loves to sing. He loves to be a part of that church. He is a part of that community in Little Rock and throughout our State.

Any indication, any implication, or anything, that the Senator from Indiana or anyone else would challenge about his religion or his religious beliefs, I think, goes beyond what his campaign for the Presidency should be about.

I am very hopeful, Mr. President, when we look at the role of the U.S. Senate, that each day is not going to be some confrontation between that side of the aisle and this side of the aisle. We have too much work to do. There are too many States out there in which this can be done and in which it may be a legitimate part of the debate. But I am hopeful that we will keep it at a minimum.

Mr. COATS. Mr. President, will my friend yield?

Mr. PRYOR. I am happy to yield.

Mr. COATS. My friend from Arkansas made a valid point, and that is I do not believe either that this Chamber should be used as a forum to conduct the Presidential campaign. My friend from Arkansas represents a State which has nominated for his party an individual, the Governor of the State. I, of course, represent a State in which the Vice President is on the ticket for the national election.

The point that I was trying to make here this morning was not in any way to draw reference to Mr. Clinton's religion. I do not know what his religion is. I do not know what his beliefs are.

I can only judge from media reports of Mr. Clinton's personal life and, frankly, the very point I was trying to make is that I think distortions in less than a factual standard have been used to judge him in public service.

What this Senator is pointing out is that a very serious double standard exists here because the Vice President, in misspelling one word has been lampooned across this country by the media and in this Chamber by Senators from the other side of the aisle—for making a misspelling in a spelling bee on a card that was handed to him that was spelled wrong. And yet I am simply saying that had the Vice President used Scriptures in such a way in a speech, and tailored that Scripture to a completely opposite conclusion of what the Scriptures intend, we would hear no end of the abuse and ridicule and misuse of Scripture for political purposes. We would hear no end of that.

So I certainly think that it is time that both of us, all of us on each side of the aisle, stand up and say to the American public, and say to the press, and say to each other, let us call a truce on using the Senate and using the media for political purposes and political gain. Let us show a little bit of understanding and tolerance to what is said when mistakes are made.

I doubt if there is a Senator on the floor here who has not either misquoted something or misspelled something. In fact, I found it interesting that the Washington Post poll, even after everybody figured out how to spell potato, found that 30 percent of the people, registered voters of this country, still could not spell it. This is after 2 weeks of being told how to spell it.

So why do we not get down to some more substantive issues and get away from this double standard? That is the point I was trying to make.

I was not attempting to reflect on either the conduct or religious belief of Senator GORE or Mr. Clinton. I do not believe anything I said reflected that.

Mr. PRYOR. Mr. President, I will just conclude by saying that if the Senate floor is going to continue to be used to conduct a political debate every day or every other day, I think it might be appropriate if we would just decide right now that, for example, every morning at 8 o'clock, when the Senate convenes and after the majority and minority leaders have each had leader time, that we set aside an hour and everyone would know that this is going to be political time. We just set aside an hour. We will duke it out. The Republicans come, and they bring their accusations; we respond, what have you.

I hope we do not reach that point. I do not think the Senator from Indiana wants to reach that point, Mr. President. I do not think the Senate should be used for that purpose.

I yield the floor.

Mr. COATS. Mr. President, I ask unanimous consent for 1 additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COATS. I appreciate the sentiments of my friend from Arkansas. I have not been here very long in the Senate. But I do not believe it is realistic to think that this body, whether we agreed to an hour of time in the morning to debate the politics, it seems incredulous to me to say that whatever else we have done or do during the remainder of the day is not political. The bills that are brought up, the debate that is entered into, I wish it were all in the nonpartisan best interests of this country. But to suggest that either side is not engaged in some type of political effort at least between now and November, I think is stretching it.

I would tell my friend from Arkansas that perhaps he and I can at least start the effort here by saying that we will do our best to tend to the Nation's business, politics aside. I do not have a great deal of confidence that that is what will happen here in the next few months, but I think the country would be better off if we were able to do that. Perhaps he and I can make every effort to convince our colleagues that is the way the debate ought to be conducted. I do not have a great deal of confidence that will happen.

Mr. President, I thank the Chair for the time, and I yield the floor.

Mr. GORTON addressed the Chair.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Washington [Mr. GORTON] is to be recognized to speak for up to 10 minutes. The Chair advises the Senator from Washington that under the previous order, morning business was not to extend beyond the hour of 10 a.m.

Mr. GORTON. Mr. President, we hope we will complete between now and then.

#### SERBIA

Mr. GORTON. Mr. President, during the past 4 months, Serbia has created the greatest flood of refugees in Europe since the end of World War II. It has achieved nearly complete success in cleansing Bosnia of Muslims and Croats. Thousands of Bosnians have been killed and nearly 1¼ million more fled their country. Some U.N. officials estimate that another 1 million may flee before Serbia is satisfied. Of these, perhaps half a million may face starvation this fall and winter.

This calamity began back in June 1991 when the then Yugoslav Army began attacking Slovenia. Fortunately, many members of that army were reluctant to attack a newly independent country without a significant Serbian population. Weeks later the Serbs

began their attack on Croatia where they took control of one-third of that country before signing a cease-fire before the end of last year.

The United Nations, the United States, and the European Community have reacted to this 14 months of aggression with a string of measures aimed at isolating Serbia and pressuring it into a truce. We began by denouncing the injustice and negotiating a cease-fire.

Later, as Croats fled Serb-occupied portions of Croatia, Europe began accepting a steady flow of refugees. In September 1991, the United Nations imposed an embargo on arms entering the ex-Yugoslavia States and, in late May of this year, voted to place sanctions on the rump State of Yugoslavia.

Now Europe is absorbing its greatest flow of refugees in more than 45 years, and continues to place its hopes on efforts to broker a peace agreement.

From the beginning, neither the European Community, the United Nations nor, of course, the United States, has seriously considered intervening in that unhappy country and its ethnic feuds. In this respect, Mr. President, I wish to state that our decisions have been correct.

For the United States, and I suspect the European Community, direct military intervention is not an option worth consideration.

I can envisage no scenario in which we could emerge from such an involvement with an unqualified or even publicly acceptable success. We have not sent troops, I doubt that we will, and I do not advocate that we do.

Nonetheless, we should examine what we can reasonably expect of the measures the United Nations has adopted. However serious and earnest the debate of early 1991 with respect to the effect of sanctions for Iraq's invasion of Kuwait, we have since learned that sanctions could not possibly have been successful there, that they still are not successful in Iraq, and almost certainly will not be successful in Serbia. Serbia, in fact, is in an even stronger position than Iraq was, holding a stockpile of oil, self-sufficiency in food, and a porous border with Romania, which permits many of Serbia's poor neighbors to profit from breaking the embargo. This embargo will not succeed in its announced goals.

In addition, our innumerable efforts for a cease-fire have consistently been undermined by an unrealistic assessment of the region's balance of power. When Yugoslavia disintegrated over 1 year ago, Serbia ended up with almost all of the old army; others of its republics, particularly Bosnia, ended up nearly defenseless. Essentially, Serbia has little cause to halt its aggression, because it has little reason to expect that it will meet effective resistance. In spite of the innumerable cease-fires, Serbia has accomplished everything it

has wished in Croatia and Bosnia. I believe we should realistically examine the likelihood of the United Nations' measures ending Serbia's aggression before it has attained everything it desires. That success is unlikely. For this reason, I believe that we should work within the United Nations to consider whether the arms embargo placed on the States of ex-Yugoslavia last year may actually be counterproductive to efforts to create an impasse in Bosnia.

Mr. President, we are confronted with a massive crisis in the Balkans and a set of solutions which are not particularly palatable. The measures we have adopted have not worked and offer little hope for the future. We have also correctly determined that the one measure which would clearly end this conflict—direct military involvement—is unrealistic and unjustified. The stakes here, however, are simply too high to allow all efforts to be immobilized by this predicament. Nearly one-and-a-quarter million people have been driven from their homes and appear to have little hope of returning. I ask those who are serious about ending this calamity whether or not we should work within the United Nations to review the arms embargo and consider sending small arms to those in Bosnia, who wish to fight for their own freedom and their own liberty. They may or may not be successful, but, Mr. President, it seems to me they ought to be given the opportunity.

I violate no confidence when I say that there is evidence suggesting that Germany and Hungary have already broken the United Nations embargo on arms to former Yugoslavia States by sending rifles and other equipment into Bosnia. Serbia has now engaged in almost unchecked aggression and driven so many Bosnians out that it is time for us to work through the auspices of the United Nations to consider lifting the embargo formally and allowing the over-the-table transfer of small arms to hundreds of thousands of Bosnian Muslims and Croats who are willing to fight for their lives, homes, and country.

#### TODAY'S "BOX SCORE" OF THE NATIONAL DEBT

Mr. CRAIG. Mr. President, Senator HELMS is in North Carolina recuperating following heart surgery, and he has asked me to submit for the RECORD each day the Senate is in session what the Senator calls the "Congressional Irresponsibility Box Score." The information is provided to me by the staff of Senator HELMS. The Senator from North Carolina instituted this daily report on February 26.

The Federal debt run up by the U.S. Congress stood at \$3,989,786,343,838.60, as of the close of business on Friday, July 24, 1992.

On a per capita basis, every man, woman, and child owes \$15,532.98—

thanks to the big spenders in Congress for the past half century. Paying the interest on this massive debt, averaged out, amounts to \$1,127.85 per year for each man, woman, and child in America—or, to look at it another way, for each family of four, the tab—to pay the interest alone—comes to \$4,511.40 per year.

#### SMALL BUSINESS AND THE ADA: DOLLARS AND SENSE

Mr. DOLE. Mr. President, having a stable and rewarding job is a basic component of the American dream—a dream shared by millions of Americans with disabilities. To help fulfill this dream, President Bush signed the Americans With Disabilities Act [ADA] into law on July 26, 1990. The law prohibits discrimination against persons with disabilities in all areas of American life, including employment, places of public accommodations, transportation, and telecommunications.

Perhaps the most important aim of the ADA is to open doors of employment previously closed to qualified individuals with disabilities. Every vocational rehabilitation study and years of experience show that persons with disabilities are highly reliable and productive employees, yet the unemployment rate for people with disabilities is estimated at 67 percent—the highest in the Nation. All too often, misconceptions about the abilities of persons with disabilities deny many the opportunity to work. These misconceptions are costly not only to business, but to each of us by keeping otherwise capable workers dependent on Federal financial assistance.

America has chosen to break this cycle of dependency with enlightened policies which promote self-sufficiency. Work enables people to participate in the economy as producers of goods and services as well as bill paying customers and taxpayers. Hence, by maximizing the productivity of every American the entire Nation benefits. That's one of the reasons I championed the ADA and why it makes good business sense.

The ADA presents this country with a challenge and an opportunity. In the short term, businesses will have to spend money to accommodate employees or customers with disabilities. Such accommodations can be anything from a simple adjustment or modification or either a shelf or a ramp, costing virtually nothing, to high technology assistive devices such as an opticon which converts printed symbols to vibrating images. Employers' experience, including that of Federal and State governments, indicates that the overall cost of these accommodations is not exorbitant.

American business cannot and will not be left to meet the challenge alone. Business leaders committed to doing

their best to fulfill the promise of the ADA in making their facilities accessible to disabled customers and workers often lack the information needed to make the most cost-effective accommodation. If the nondiscrimination and increase employment goals of the ADA are to be met, the Federal Government and the disability community must continue to provide critical technical assistance to the business community.

The Department of Justice's Office on Americans with Disabilities has worked diligently to respond to questions concerning ADA. Currently, the Office fields approximately 4,000 requests per week for printed information and direct responses to ADA questions. The Justice Department predicts the demand for information will greatly increase following the July 26, 1992, deadline for the employment mandates of the law. The Department of Justice saw a similar increase in requests for assistance after the public accommodations requirements of the law went into effect in January of this year.

To meet the additional demands on the Office on Americans with Disabilities from the recent implementation of ADA mandates, the Department of Justice and the disability and business communities have requested that \$4.8 million of the Department's general legal activities budget be earmarked for the Civil Rights Division to carry out technical assistance authorized under the ADA. The \$4.8 million, which is approximately double last year's amount and this year's official budget request, would be used to expand the Technical Assistance Grant Program that provides educational outreach to communities through seminars, pamphlets, and other local activities. The Office would like to expand its 800-number phone service, promote a nationwide speakers' bureau on the ADA, and update a computerized informational network.

Because of funding constraints this year, the committee was unable to earmark the \$2.6 million in additional funding. The committee did, however, include report language urging the Attorney General to consider diverting funds from base resources to expand technical assistance efforts. I would like to add my strong support to this language. Investing in technical assistance activities will increase compliance and decrease costly litigation, saving money in the long run.

To be sure, enactment of the ADA, is a giant step forward. However, it also is a reminder of how much more remains to be done. Fulfilling the mandates of the ADA will require each employer, manager, and supervisor to adopt a new attitude and seek opportunity to use the productive capacity of people with disabilities. The generous spirit and technical ingenuity of American business tells me that the promise of ADA will be realized.

#### TRIBUTE TO RICHARD MARKS, NATIONAL PARK SERVICE

Mr. McCAIN. Mr. President, I rise today to call the Senate's attention to a very special individual. I am speaking about Mr. Richard Marks, who on August 7 will celebrate his retirement from the National Park Service.

Thirty-five years ago, Dick Marks dedicated himself to a high and noble purpose—stewardship of our Nation's natural treasures and service to his fellow man. Throughout his distinguished career, Dick has exemplified all that is good and honorable in public service—excellence, dedication, and integrity. I am proud to call him a friend.

Dick was born in Yonkers, NY, in 1935, and raised in Harrington Park, NJ. In 1957, he received his degree in forestry from the University of Michigan, and went to work for the National Forest Service. Two years later, Dick and his lovely wife, Haz, were married and in 1961 he began his accomplished Park Service career as a ranger at Blue Ridge Parkway—a career which would span the next 31 years.

After 5 years at the Blue Ridge, Dick was transferred to Yosemite National Park. He served as chief ranger until 1971 when he moved to Washington, DC. After a 4-year tour in the Nation's Capital, Dick was awarded his first superintendency, receiving the top job at Fire Island National Seashore.

The Park Service recognized Dick's expertise, leadership qualities and professionalism. In 1980, he was called on to serve in one of the most important and prestigious posts in Federal service—superintendent of Grand Canyon National Park.

During his 8 years as superintendent, I had the pleasure and privilege of working with Dick on many issues affecting the Grand Canyon. I quickly came to know him as a dedicated, talented and hardworking professional—a man of high integrity and purpose. Dick left the Grand Canyon in 1988 to assume his present position as assistant regional director stationed in Santa Fe, NM.

Dick, I join you and your family, Haz, Tim, Cindy, Glen, and Missy in celebration of your exemplary career and a new period in your life.

Enjoy this new beginning with the knowledge that your life's work lives on in the timeless gifts of God and nature which you have so ably cared for, and in the smiles of all those whose lives you have touched. That is quite a legacy.

On behalf of a grateful Nation, I say thank you—a job well done. We wish you and Haz the great happiness and joy you so richly deserve.

#### RECOGNIZING THE DISTINGUISHED SERVICE OF COL. WYATT L. MCGHEE

Mr. DIXON. Mr. President, I would like to take this opportunity to recog-

nize the hard work and superb contribution of Col. Wyatt L. McGhee, in our armed services. After 30 years of distinguished service, Colonel McGhee is retiring from the U.S. Air Force effective October 1, 1992. Colonel McGhee served his country honorably and loyally in his capacity as a bioenvironmental engineer.

Colonel McGhee was born in Franklinton, NC, and now resides in my hometown of Belleville, in the great State of Illinois. The good colonel has been awarded numerous military decorations, including: The Air Force Commendation Medal, Joint Service Commendation Medal, and the Air Force Meritorious Service Medal with three oak leaf clusters.

Colonel McGhee has served his country, and his fellowman, with great distinction over the years, and should be very proud of his fine accomplishments. I would like to join my voice with those of his family and many friends in thanking Colonel McGhee for a job well done and wishing him the very best in the coming years.

#### TRIBUTE—12TH ARMORED DIVISION "HELLCATS"

Mr. SPECTER. Mr. President, this September 13 through 17, the 12th Armored Division, also known as the "Hellcats," will be celebrating its 50th anniversary. This division was activated for the Second World War and spent a ferocious 3 years in active duty. Within its short period of duty, the 12th Armored amassed an impressive array of honors and distinctions, battling across Europe from the port of Le Harve to Austria, the heart of the Third Reich. Fighting in a heroic struggle against the very forces of evil themselves, the 12th Armored has a history of valor and distinction.

The 12th Armored was activated on September 15, 1942, at Camp Campbell, KY. After training the division was sent to England and landed there on October 2, 1944. One month later, on November 11, 1944, the 12th Armored arrived at Le Harve, France and began its advance across the continent of Europe. Its first action was on December 5, 1944, near Weisslington, France. From there, the division advanced to Herrlisheim and the Colmar Pocket before entering the Rhineland on March 17, 1945. The Hellcats crossed the Rhine on March 28 of that year and proceeded over the Danube on April 22. On May 3, 1945, the 12th crossed the Austrian border before finishing combat on May 5.

The 12th saw 151 days of continuous action against the Fascist legions. In this time, the 12th captured 70,166 enemy troops, captured over 3,000 cities and towns, and liberated 8,500 Allied prisoners of war.

Also known as the "Mystery Division," the 12th Armored served in the 3d U.S. Army, with the legendary

George Patton. The 12th also served with the 7th United States and the 7th and 1st French Armies. The many corps that the 12th served with include the United States VI, XV, XX, XXI and French II Corps. The Hellcats served in the Rhineland, Ardennes-Alsace, and Central European campaigns.

Under Maj. Gen. Carlos Brewer, Maj. Gen. Douglas Green, Maj. Gen. Roderrick Allen, and Brig. Gen. Willard Holbrook, the 12th Armored Division received a number of unit citations. Three of the 12th's units received Presidential Units Citations, one received the Meritorious Service Unit Plaque, and one received the Meritorious Service Unit Plaque with Star. Last, the 12th Division holds a record for movement through enemy territory. Hellcats units advanced an amazing 59 miles in only 8 hours and 45 minutes.

The history of the 12th Armored Division is a record of bravery and dedication to the ideals of liberty that our great Nation stands for. The Hellcats served America in its time of greatest need, doing battle with the forces of tyranny and oppression in the name of freedom for all of mankind. On the occasion of their 50th anniversary, I would like to take this opportunity to recognize the Hellcats before the U.S. Senate.

**NORTH-CENTRAL KANSAS**

Mr. DOLE. Mr. President, at 3 a.m. on July 8, hurricane force straight winds hit a small town in north-central Kansas leaving behind widespread destruction throughout the area. Major damage was incurred in central Kansas and the surrounding area. In particular, the NCK Electric Cooperative lost 500 electric transmission poles and other equipment worth \$500,000. The southern one-third of the system was destroyed in the storm. In fact, insurance is unavailable for this type of equipment, thus making the burden on ratepayers, who recently experienced a rate increase in April, exposed to heavy additional increases in order to pay for the storm damage.

The NCK Electric Cooperative is in a poor position to take advantage of the REA loan program. The severe economic hardship this community faces to replace and pay for the estimated \$3 million in damages throughout the community is going to be extremely difficult as it is. Although Kansas is notorious for its severe weather, rarely do we have storms that are classified as an inland hurricane, as this was.

Mr. President, the people of north-central Kansas and NCK Electric Cooperative need some relief so they may tackle the enormous burden they have before them. My amendment will provide assistance to the cooperative to replace the equipment destroyed by the storm and allow the victims of the storm to move on to other projects.

**CONCLUSION OF MORNING BUSINESS**

The ACTING PRESIDENT pro tempore. Morning business is closed, the hour of 10 a.m. having arrived.

**COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, FISCAL YEAR 1993**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 3026, which the clerk will report.

The bill clerk read as follows:

A bill (S. 3026) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year ending September 30, 1993, and for other purposes.

The Senate resumed consideration of the bill.

**COMMERCE, JUSTICE, STATE APPROPRIATIONS BILL**

Mr. SASSER. Mr. President, the Senate Budget Committee has examined S. 3026, the Commerce, Justice, State appropriations bill as reported, and has found that the bill is under its 602(b) allocations in budget authority by \$149 million and is under its 602(b) allocations in outlays by \$2 million.

I compliment the distinguished manager of the bill, Senator HOLLINGS, and the distinguished ranking member of the subcommittee, Senator RUDMAN, for all of their hard work.

Mr. President, I have a table from the Budget Committee showing the official scoring of the Commerce, Justice, State appropriations bill and I ask unanimous consent that it be printed in the RECORD at the appropriate point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

**SENATE BUDGET COMMITTEE SCORING OF S. 3026**

**COMMERCE, JUSTICE, STATE SUBCOMMITTEE SPENDING TOTALS—SENATE REPORTED**  
(In millions of dollars)

Bill summary	Budget authority	Outlays
Domestic discretionary .....	16,237	15,899
Senate 602(b) allocation .....	16,375	15,899
Difference .....	-138	-0
International .....	5,687	5,511
Senate 602(b) allocation .....	5,695	5,511
Difference .....	-8	-0
Defense .....	934	625
Senate 602(b) allocation .....	937	626
Difference .....	-3	-1
Mandatory total .....	662	654
Senate 602(b) allocation .....	661	654
Difference .....	1	0
Bill total .....	23,519	22,688
Senate 602(b) allocation .....	23,668	22,690
Difference .....	-149	-2
Domestic discretionary above (+) or below (-):		
President's request .....	-556	-939

**COMMERCE, JUSTICE, STATE SUBCOMMITTEE SPENDING TOTALS—SENATE REPORTED—Continued**  
(In millions of dollars)

Bill summary	Budget authority	Outlays
Senate-reported bill .....		
House-passed bill .....		
International above (+) or below (-):		
President's request .....	24	32
Senate-reported bill .....		
House-passed bill .....		
Defense above (+) or below (-):		
President's request .....	447	159
Senate-reported bill .....		
House-passed bill .....		

**SENATOR WARREN RUDMAN**

Mr. DOLE. Mr. President, due to his imploding retirement from the Senate, the Senator from New Hampshire is managing his last Commerce, State, Justice appropriations bill on the floor today. When I was the majority leader, I could always count on Senator RUDMAN's skill in guiding the Commerce bill through the Senate with a minimum number of difficulties. No doubt that is one of the reasons why the majority leader asked the Hollings-Rudman team to bring the first appropriations bill to the floor this year.

In the history books, Senator RUDMAN will be well remembered as one of the authors of the Gramm-Rudman-Hollings deficit reduction bill. But no one should forget his distinguished 12-year career on the Appropriations Committee, where he actively contributed to both the Defense Subcommittee and the Commerce, State, Justice Subcommittee. You can be assured that because of Senator RUDMAN's day-to-day efforts, less taxpayer money was wasted and more taxpayer money was wisely spent.

To me the true measure of a fiscal conservative is the number of difficult votes cast. Senator RUDMAN has not shied away from the difficult choices. He has opposed questionable new spending and supported taking a hard look at popular entitlement programs. I think I speak for everyone in this body when I say his courage, fairness, and eloquence will be missed by all who serve with him in the Senate.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I rise in support of the Commerce-Justice-State appropriations bill reported by the Senate Appropriations Committee.

This bill provides \$23.2 billion in new budget authority and \$16.9 billion in new outlays for fiscal year 1993 programs of the Departments of Commerce, Justice, and State, the Judiciary and related agencies.

When outlays from prior year budget authority and other completed actions are taken into account, the bill, as adjusted, totals \$23.5 billion in budget authority and \$22.7 billion in outlays for fiscal year 1993.

This bill provides an 8.7-percent increase in funding for the Department of Justice, a 7-percent increase in the FBI

budget, and an 11-percent increase in the National Weather Service over the fiscal year 1992 funding levels. These increases are a top administration priority.

I appreciate the difficult task faced by the distinguished chairman and ranking member in attaining a well-balanced spending bill, and commend them for reporting a responsible bill, within the subcommittee's 602(b) allocation.

I want to thank the committee for its approval of \$173.5 million for the Department of Justice to fully fund the Radiation Exposure Compensation Act of 1990. This is the funding level requested by the President from the allocation for defense, and it is \$141 million above the 1992 level.

This act authorizes the payment of claims filed by persons against the Government for health effects associated with radiation fallout from open-air nuclear testing and radiation mining in the Southwest during the cold war.

Many of my colleagues know how long this recognition was forthcoming from the Federal Government. It is extremely important to many people in the Southwest.

I am also pleased that the committee was able to find \$2.5 million for the Rio Grande canalization project between El Paso, TX and the Caballo Dam in New Mexico. While the International Boundary and Water Commission which oversees this project is being asked to operate, like many other agencies, will less money than it received last year, the committee did provide vital support for the commission's priority construction projects.

I am disappointed that there is no provision to continue funding for the Boskin initiative to improve Federal economic statistics. This initiative, funded in the budgets of the Census Bureau and the Bureau of Economic Analysis, would allow the upgrading of Federal statistical agencies and the statistics they produce.

Mr. President, poor quality statistics are an impediment to national growth. Wrong signals given to consumers, businesses and policymakers can result in erroneous decisions and a waste of valuable national resources.

Finally, Mr. President, I want to note that the committee provided \$200 million for construction of research facilities at the National Institute of Standards and Technology. We call it NIST for short. This is a ninefold increase above the President's request, and will take several years to complete.

This appropriation bill also adds a major new NIST mission in the area of defense conversion, and provides \$109 million for that purpose. If the \$200 million for construction and the \$109 million for defense conversion survive the remaining steps in the appropri-

tions process and become law, they will present an extraordinary management challenge to NIST.

The NIST is a valuable national asset in working with American industry to develop new standards and manufacturing techniques. It is one of many national laboratories using its expertise to help improve American industrial competitiveness.

The committee has agreed to my suggestion that our Congressional Office of Technology Assessment assess the activities or capabilities of NIST and our other Federal laboratories in promoting America's competitiveness. OTA is also requested to report on any duplication of effort that it may find.

The committee approves \$229 million to fund a defense economic conversion initiative through the Department of Commerce and the Small Business Administration. While the approval of these funds within the subcommittee's defense allocation is consistent with the 602(b) allocation approved by the full Senate Appropriations Committee, I would note that the administration will take issue with this classification as defense spending as opposed to domestic spending.

Mr. President, I urge adoption of the bill.

Mr. President, this outlines the bill in terms of its budget impact and indicates some very significant assistance in this bill for those who were victims of radiation in the mines of New Mexico, Colorado, and Utah.

Mr. WOFFORD. Mr. President, I commend the Appropriations Committee for recognizing the challenges of a declining defense budget and being willing to help the workers, businesses and communities that will be hurt.

Although Pennsylvania has never been a major beneficiary of U.S. defense spending, many communities will be significantly affected. The assistance provided in this bill will help. Funds allocated toward strengthening our civilian manufacturing base and promoting the development of new technologies and products will bring new jobs to Pennsylvania and other States that have been ravaged by recession, lack of investment, and the loss of manufacturing jobs to other countries.

In the longer-term, public policies that address the broader question of economic growth and industrial competitiveness will do far more to assist Pennsylvania and the Nation. The defense transition assistance being provided today is consistent with those longer term objectives.

I also commend the committee for the inclusion of \$5.1 million for the Office of Import Administration for the administration of the cases filed by domestic steel producers under our trade laws. It is unfortunate that these cases had to be filed, at considerable expense to the steel industry, but the fact is

that our steelmakers and steelworkers are not playing on an even field. Unfair trade practices by foreign producers cost domestic manufacturers \$2.2 billion in 1991 and \$108 million in the first quarter of this year.

Years of modernization, streamlining of capacity and the investment of \$23 billion over the past 10 years have made our steel industry competitive with that of any other country in the world, including Germany and Japan. We cannot let other nations, that subsidize their industries, dump steel into our market and force our producers out of business. The steel industry is an integral component of our industrial base, and its health is critical to our Nation's economic health. The prosecution of these trade cases will show our trading partners that we are serious about bringing down barriers to global trade in steel. I applaud the Appropriations Committee for working to ensure that adequate resources are available to enable these cases to go forward.

#### FCC'S PROPOSAL TO REALLOCATE THE 2 GHZ COMMUNICATIONS BAND

Mr. INOUE. Mr. President, I would like to state for the record my support for the compromise amendment offered by Senator HOLLINGS concerning the FCC's proposal to reallocate the 2 GHz communications band. Senator HOLLINGS has worked hard to protect the use of this band by the electric power companies, railroads, and oil, gas, and water pipeline companies. These utilities provide essential, basic public services, and the reliability of their communications systems simply cannot be diminished. While I also appreciate the desire of Senator DANFORTH to ensure that new technologies have an opportunity to participate in the marketplace, I believe that the current users of this spectrum should not be displaced without ensuring reliability and full cost recovery. I am pleased that Senator HOLLINGS has been able to work out an agreement with Senator DANFORTH that protects the interests of the existing users of the 2 GHz communications band while allowing the new technologies to enter the market on a shared basis.

#### MISSING CHILDREN

Mr. McCONNELL. Mr. President, I rise today in support of the committee's recommendation for full funding of programs relating to juvenile justice and missing children.

As many of my colleagues are aware, experts estimate that some 1.8 million children are missing for varying periods each year. About 90 percent run away for a few days and return home. But at least 150,000 are abducted by parents in custody fights, and 20,000 to 50,000 are snatched by strangers—most never to be seen again.

According to the Department of Justice, in 1990 authorities found more stolen cars than missing children. Many of these children meet a tragic fate.

Roughly 10 percent are sexually abused, says the National Center for Missing and Exploited Children.

Dennis Whalen, an Omaha private investigator who has worked on thousands of child-disappearance cases states: "Children have become a product. Some people are willing to pay \$20,000 for a child. Mostly, this is for illegal purposes—much of it for reasons of sex. Children as young as 5 or 6 are being used in pornography."

Culprits in these crimes even include child-care workers, teachers, and day care operators—people in whom children place their trust. Needless to say, these positions are well suited for preying on children. That was the primary reason why I introduced the National Child Abuser Registration Act last year. The measure was unanimously accepted by the Senate as an amendment to the omnibus crime bill.

Many stolen children never see their parents again. Even in cases in which a parent takes a child from a former spouse, the child is returned only 10 percent of the time.

More tragic is the fate of those kidnaped by strangers. Citing research by a center named for the son of my personal friend, John Walsh, estimates that 80 percent of such children are murdered within 2 days of their disappearance. His 6-year-old son, Adam, was murdered in July 1981, soon after being snatched from a department store.

Youngsters are abducted from areas thought to be safe—walking to or from school, neighborhood playgrounds, backyards or, as in one California case, a hospital delivery room. The impact on the family of a missing child is devastating.

Police and social service workers say some locales are especially dangerous: carnivals, fairs, shopping malls. Children disappear from shopping carts at grocery stores or when separated from parents in the aisles.

Many communities have started programs urging parents to fingerprint children as an aid to police, should a child ever be missing. In fact, I instituted such a program in Jefferson County, KY, when I was county judge-executive. Police also are beginning to address the problem of parental abductions at a faster rate than they did in the past. In addition, States are cooperating more in honoring other States' child-custody orders.

In the Missing Children's Assistance Act of 1985, we provided money to the States to develop and fully implement missing children clearinghouses, where information about a missing child could be stored and therefore retrieved. Building on this legislation, I introduced a bill that would consolidate information maintained by clearinghouses throughout the Nation. That piece of legislation, the National Child Search Assistance Act of 1990, was ap-

proved by the Congress and signed into law by President Bush.

Whereas much is being done in the Congress to address the problem of missing children in the United States, more innovative programs must be developed to curb this continuing trend.

One such program is the Missing and Exploited Children Comprehensive Action Program [M/CAP]. M/CAP is a community-based, multidisciplinary, interagency, case and services management program for missing and exploited children and their families. M/CAP assists communities in determining their need in relation to missing and exploited children. The Office of Juvenile Justice and Delinquency Prevention [OJJDP], functioning with the Coordinating Council on Juvenile Justice, administers this program in various cities throughout the country.

OJJDP, which was established by the Juvenile Justice and Delinquency Prevention Act of 1974, has the mission of improving the juvenile justice community, providing national direction and leadership, and serving as the focal point for coordinating programs related to juvenile delinquency and missing and exploited children. M/CAP is a perfect example of how they are currently discharging their duties that were mandated to them by the Congress.

On June 24, I introduced new legislation which is another innovative method of finding missing children. The legislation, entitled "Kids in Need," would authorize the U.S. Department of Justice to access the Federal Parent Locator Service which is operated by the U.S. Department of Health and Human Services. The Federal Parent Locator Service is currently used by Health and Human Services to locate parents who are delinquent in child support payments by utilizing information provided by the Internal Revenue Services and the U.S. Department of Labor. By allowing the Department of Justice to access this information, OJJDP will be able to locate a parent who has taken a child from a custodial parent. This is done by entering information about the noncustodial parent into an established computer network.

Currently, over 70 percent of all child abduction incidents in the United States involve parental kidnaping.

Kids in Need, and similar pieces of legislation, are steps the Congress needs to take in dealing with missing and exploited children. During the remaining days of the 102d Congress, my colleagues and I will consider many more pieces of legislation to address this problem, most prominent of which is the Juvenile Justice and Delinquency Prevention Reauthorization Package. It is my hope, as a father and a legislator, that positive steps will be taken to aid and educate Americans about the problem of missing and exploited children.

Mr. President, I urge my colleagues to support these programs relating to America's children.

Mr. RIEGLE. Mr. President, I rise in support of S. 3026, the Commerce, Justice, State, and Judiciary appropriations bill. I am especially pleased that this bill contains \$229 million in funding for defense conversion programs. Specifically, the bill contains \$109 million for technology-related programs to help defense firms convert to non-defense products, \$80 million for the Economic Development Administration [EDA] to help communities adjust to defense cutbacks and base closings, and \$40 million in loan subsidies to underwrite over \$735 million in loan guarantees to help small businesses hurt by defense cutbacks and base closings.

These provisions follow the recommendations of the recent Senate Democratic Task Force on Defense/Economic Transition which was so ably chaired by Senator PRYOR and the 1990 Task Force on Defense Conversion, which I had the privilege of chairing.

The funding provided in this bill is especially important for my home State of Michigan, where we are going through the closure of the Wurtsmith Air Force Base near Oscoda. The EDA funds will help the community of Oscoda plan for and develop a new economic base in their community and the SBA funds will help the small businesses hurt by the closing of Wurtsmith make the transition.

I thank the committee for including these funds for defense conversion in this time of extremely tight budgets. This is an important step in helping to revitalize the economy in the post-cold war era. I will continue to work with my colleagues to do more in this area.

Mr. KERRY. Mr. President, I want to indicate my support for the Commerce, Justice, State, and Judiciary appropriations bill before us today and I want to commend Chairman HOLLINGS' efforts in bringing this bill to the floor and applaud the broad-based support this package has received from a majority for subcommittee and full committee members. I believe the committee reached an acceptable compromise given the nearly overwhelming obstacles in its path.

The committee faced the daunting task of crafting a bill that would distribute fairly funding to a broad array of important and crucial programs within a budget framework of extremely limited resources, compounded by the Congress' failure earlier this year to remove the firewalls, thus retaining the separate spending caps on defense, domestic, and international categories.

While I have some reservations about individuals measures and particular programs, and some real disappointments about some programs and projects I believe to be of very significant benefit—as I suspect we all may

have—I want to highlight what I view as the vital areas that received the committee's attention.

I am privileged to serve as the vice chair of the Commerce Committee's National Oceans Policy Study and through that role I know and value Chairman HOLLINGS' deep commitment to programs that fund the National Oceanic and Atmospheric Administration [NOAA] and the other important marine mammal and fisheries programs. Despite the difficult fiscal times, the subcommittee commendably acted to provide funding increases to some key marine and coastal programs and to assure the continuation of others. However, there were several vital programs that received cuts or no funding at all. I remain hopeful that we can increase funding in some key Commerce programs as we move to conference with the House.

I applaud the committee for providing \$7.1 million for the Saltonstall-Kennedy fisheries grants program for which the administration budget included no funds at all. This program is vital not only to New England but to all coastal regions because it provides funding for research to enhance fish stocks, to develop new markets for underutilized fish species, and to assess new fishing gear technologies.

The committee directs \$6.5 million to be spent for a comprehensive seafood safety program, over double the \$3 million provided last year. I am particularly pleased that the committee is designating \$1.325 million of the funds to support the Gloucester laboratory for product quality and safety research.

Also, the bill includes \$2.108 million for management of George's Bank fisheries and New England and Gulf of Maine groundfish stock depletion surveys. This is a \$1.474 million increase—or roughly a 230-percent increase—over the President's request.

Two additional ocean programs important to my State of Massachusetts that received funding increases are the Marine Mammal Protection Act [MMPA] and the Marine Sanctuaries Program. The MMPA received \$7.936 million for implementation, a \$474,000 increase over last year's funding level. This includes \$500,000 for harbor porpoise research in the Gulf of Maine. And the Marine Sanctuaries Program received a \$800,000 increase over last year's levels to \$5.8 million.

I also would like to commend the committee for its support of the Sea Grant Program which is funded this year at \$42.8 million, \$17.775 million above the President's request. The Sea Grant Program has proven itself to be a wise investment. Sea Grant merges the expertise of government, academia, and the private sector to analyze marine issues of vital environmental and economic importance, and I am appreciative for the committee's continued support.

Unfortunately, some other key coastal and oceans program didn't fare so well. Those reduced from last year's funding levels include programs for the Atlantic bluefin tuna, for swordfish east coast observers, and for dolphin safe technologies.

In particular, I was disappointed in the reduction in funding for the Coastal Zone Management Act [CZMA]. Through CZMA, the coastal States and NOAA have worked cooperatively and productively to preserve, protect, develop and, where possible, restore or enhance our Nation's coastal resources. The national CZM Program is a vital defense against the constant and growing pressures on the fragile and finite coastal zone.

Twenty-four Senators joined me in sending a letter in support of increased funding for this small but extremely effective program to protect our national shoreline. While the CZM Program didn't receive the increased funding we felt was necessary, I am hopeful that we can better these numbers in conference.

Finally, I look forward to working with Chairman HOLLINGS, Chairman BYRD, and ranking members RUDMAN and HATFIELD in the hope it will be possible to find a way to continue support for the Marine Biomedical Institute for Advanced Studies at the Marine Biological Laboratory [MBL] in Woods Hole, MA, for which funding was included in the House bill. The MBL is one of the most important ocean-related research institutions in the world, and plays a vital role in conducting the research that is critical to maintaining the ocean environment and resources.

Last year, funds were appropriated to MBL to continue construction of phase 1 of the MBL expansion, the Marine Resources Center, which now is nearly completed. This new facility will replace the deteriorated center originally built in 1924, through which the MBL collects and distributes over 100,000 organisms each year to the National Institutes of Health and researchers at universities across the United States.

As contemplated in the 1988 authorization for the Marine Biomedical Institute for Advanced Studies project, additional Federal funds are needed to complete phase 2, the Advanced Studies Laboratory [ASL]. This facility will provide new laboratory space needed to accommodate specialized equipment essential to modern molecular research. The Advanced Studies Laboratory will make a very valuable addition to the world-renowned Marine Biological Laboratory, and I have high hopes the wherewithal can be found to permit it to be completed. I look forward to working with the committee to this end.

As chairman of the Subcommittee on Terrorism, Narcotics and International Operations, I want to thank the subcommittee and the full Appropriations

Committee for the way in which this bill reflects authorization levels established in the Foreign Relations Authorization Act last year and the supplemental for peacekeeping passed earlier this year. The committee has appropriated \$25 million for new posts for the Department of State and USIA in the former Soviet Republics. I applaud the funding of these urgently needed diplomatic missions.

The committee has also provided an additional \$700,000 for the Vietnamese Scholarship Program, which was created last year in the Foreign Relations Authorization Act for fiscal years 1992-93. This increase, which brings the total for the program to \$1 million, will enable the number of students to be at least doubled from 15 to 30. As chairman of the Senate Select Committee on POW/MIA Affairs, I believe that this program enhances our overall relationship with the Vietnamese and our ability to encourage greater Vietnamese cooperation on POW/MIA accounting.

The committee has provided \$30 million to the State Department's Bureau of Oceans and International Environmental and Scientific Affairs [OES] bureau for environmental research. The need for this research was highlighted at the recent U.N. Conference on Environment and Development [UNCED] meeting in Rio. I strongly support the committee's decision to fund this vital research effort.

Finally, I would like to congratulate the subcommittee chairman, the Senator from South Carolina, for limiting the State Department's use of the emergency account—the so-called K-Fund—for representational purposes. Last year's Foreign Relations Authorization Act opened up the spending records of this account to urgently needed public review. That review has shown that the taxpayers' hard-earned dollar too frequently has been used frivolously. The limitation placed on spending in this bill is an important and much-needed step to eliminate this waste.

One of the most important areas of government activity covered by this appropriation bill is law enforcement. This year we will be spending over \$9.4 billion for that purpose, a 9-percent increase over last year. I wish I could say we did not need this money, but unfortunately, we have made all too little progress in increasing the personal security of Americans across the Nation, and this budget reflects that.

I do note one important initiative which is being funded by the committee. This year, the committee is recommending an increase of over \$18 million for the investigation and prosecution of financial institution fraud, to a total of \$278 million.

As Woody Guthrie once wrote, "Some will rob you with a six-gun and some with a fountain pen." All too many fountain pen robbers have flourished in

the 1980's, especially criminals who managed to rip off the taxpayers for tens of billions at banks and savings and loans. The Justice Department has not been as quick to prosecute these cases—or as tough in so doing—as many of us believe it should have been, but we in the Congress are at least doing our part to provide Justice with the resources it needs to go after these corporate criminal kingpins—and to try to get as much as possible of the money they stole from us back for the taxpayers.

I also note that the committee has continued some other, smaller programs, aimed at finding missing children, responding to the problems of child abuse and violence against children, and combating delinquency. Too many American children are being denied the most basic personal right because of threats to their safety and security from sexual and physical abuse and from drugs and crime. Our entire society will live with the consequences of what they have been through for so long as they are among us. This is an area where we are making some difference—but this is one priority that needs to be made a very high priority, which means in the future we must shift funds from other Government programs to do more to help these children.

In closing, Mr. President, I once again commend the able Senator from South Carolina, the chairman of the subcommittee. He is a real leader, a strong and courageous figure in this institution, and a good friend. I commend the other members of the subcommittee, and its staff, particularly Scott Gudes who has been generous with his time and attention. The bill they have brought to the Senate is a very good bill, and one over which they have labored conscientiously. Indeed, in light of the oppressive fiscal realities which they were forced to confront, the bill is a very impressive accomplishment.

I believe I convey sentiments shared by virtually all of my colleagues when I express sincere thanks to them for their efforts. I look forward to working with all of them as the process continues toward enactment.

Mr. BENTSEN. Mr. President, last night and this morning, the Senate has considered an amendment to the pending legislation, the departments of Commerce, Justice, State, the Judiciary, and related agencies appropriations, fiscal year 1993, that would, in effect, repeal the Assault Weapon Manufacturing Strict Liability Act of 1990 previously adopted by the District of Columbia.

Last night, I voted in favor of a point of order supported by the distinguished managers of the pending legislation that the assault weapon amendment was not in order because it called for legislation in connection with an appropriations bill. However, my vote in

support of the point of order does not reflect my disagreement with the substance of the assault weapon amendment; rather, as my vote today in favor of the amendment indicates, I do support a repeal of the D.C. law, which I believe is unwise as a matter of public policy and constitutionally infirm.

Mr. DANFORTH. Mr. President, I join Senator DURENBERGER who yesterday urged the Justice Department to provide the funds necessary for the enforcement of two of the most significant civil rights laws passed by Congress. As one of the principal sponsors of the Civil Rights Act last year, I am disappointed that the committee has not provided the Equal Employment Opportunity Commission [EEOC] funds adequate for vigorous enforcement of the Civil Rights Act of 1991 and the Americans with Disabilities Act [ADA].

As a result of the passage of these laws, the Commission has seen a dramatic increase in its workload, with an expected increase of up to 20 percent by the end of the year. Without additional revenues, EEOC cannot effectively manage this increase, and thus will fail to enforce these important civil rights laws effectively.

By underfunding EEOC, we are doing Americans a grave injustice. Without the additional funds, Americans who turn to the Commission for help will have to wait an average of 39 months to have their cases investigated. Mr. President, this is not just.

Congress cannot pass laws and then fail to give the responsible agency the resources necessary to vigorously enforce them. Administrative agencies exist in order to decrease the amount of litigation resulting from federal antidiscrimination laws. I believe the dollars spent at EEOC will save our economy litigation expenses that would be spent in the Agency's absence. For the past 10 years, the EEOC has been an effective enforcement agency, and, without enforcement, the work we did last year to enact critical civil rights laws will have been in vain.

#### ANNOUNCEMENT OF POSITION ON A VOTE

Mr. BRYAN. Mr. President, due to a delay on my flight here from Nevada, I regretfully missed a vote taken yesterday, vote No. 152. Absent the airplane's mechanical problems which lead to the delay, I would have been available to vote when the vote began.

On vote No. 152, I would have voted "nay."

Mr. ROCKEFELLER. Mr. President, I want to commend the Senator from South Carolina [Mr. HOLLINGS] and the Senator from New Hampshire [Mr. RUDMAN] for their successful effort to develop a bill that addresses many of the country's critical technology priorities.

This is a matter of particular interest to me, Mr. President, because of my involvement in developing the national economic leadership strategy, which

the majority leader announced on July 1.

That announcement represented a turning of the corner in the national competitiveness debate. The argument over whether we have a problem is finished.

The national economic leadership strategy begins the debate over solutions.

Whether you believe that U.S. productivity, growth, manufacturing, and technological innovation are deteriorating, or that other nations are simply moving faster than we are and catching up, we have a serious competitiveness problem by virtually any measurement one uses. Unless we act quickly to rebuild our manufacturing base and the high-quality jobs that go with it, our children will be the first generation in our history to have a lower standard of living than their parents.

That matters because we are stewards for their future. It also matters because the end of the cold war means that economic power will define global leadership in the future. Our ability to continue to play the lead on the world's stage will depend on our economic strength. I believe in American leadership. The world is a freer and better place because of it. But if we want it to continue, we must get our economic house in order.

This national economic leadership strategy starts us down the right road. Its 30 proposals focus on 5 key categories: high-technology research, product development and commercialization, manufacturing process and extension, worker education and training, and export and trade policy. This comprehensive approach brings together a wide range of proposals, some new and some already making their way through the legislative process. The strategy serves as a blueprint for bringing our technology and manufacturing base up to world class standards, and for creating a well-educated and skilled work force.

In the next century, infrastructure will be telecommunications and information, fiber optics and computers, in addition to roads and bridges, concrete and steel. These are the things that will drive our economy and create good jobs in the future.

The national economic leadership strategy expands our research and development efforts in these critical technologies, and it proposes important new initiatives for turning laboratory ideas into marketable products. We are all familiar with examples like the VCR and the facsimile machine—products invented here and produced elsewhere.

This matters because product sales and the profits they make generate the investment that will create the next generation of technology. Companies do not undertake research and develop-

ment out of whole cloth. If we do not make anything, ultimately we won't be inventing anything either. That is why our strategy is directed at manufacturing technology and commercialization and not just at generic, precompetitive research and development.

It is precisely in these areas that the pending bill makes important progress, largely through the additional \$229 million appropriated for defense economic conversion programs. These programs, included in the report of the taskforce headed by the Senator from Arkansas [Mr. PRYOR] are the same as a number of the proposals in the national economic leadership strategy. As embodied in the Committee bill, they include an additional \$109 million for the Advanced Technology Program, the manufacturing technology centers—the so-called Hollings centers—and the State Technology Extension Program. The ATP is the basic National Institute of Standards and Technology, NIST, grant program for research in advanced critical technologies. The other two programs disseminate advanced manufacturing process technology to the private sector, so that the latest innovations get broad circulation in our manufacturing community. Additional funding for these programs was a key recommendation of the economic leadership strategy, and I am delighted the committee has found room for it in their allocations.

I would also note, Mr. President, that these funds are in addition to the normal appropriations for these programs, which themselves are, for the most part, increased over fiscal year 1992 levels, another sign that the Appropriations Committee and the Senators from South Carolina and New Hampshire take our competitiveness crisis seriously.

There are, in addition to these three programs, many other parts of the national economic leadership strategy now making their way through the Congress. One of them, for example, the Technology Transfer Improvements Act, will be the subject of a hearing in the Judiciary Committee on July 28. That bill was previously reported by the Commerce Committee, just as the committee also reported and the Senate passed, S. 1330, which contains many of the other economic leadership strategy proposals in the critical technology and manufacturing process areas. Since that bill, of course, has not become law yet, the Appropriations Committee can hardly be expected to fund it, but we will be back next year on behalf of that one. In the meantime, I think it is commendable that the committee has been so responsive with respect to programs that are already in law.

While I am here, Mr. President, let me also commend the Senator from South Carolina and the Senator from New Hampshire for their close atten-

tion to our country's trade problems in their decision to provide additional funds for the Commerce Department's enforcement of our antidumping and countervailing duty laws. The decision to put an additional \$5 million into the effort is particularly important for West Virginia because of the 84 trade complaints just filed by the American steel industry to counteract the massive dumping and subsidizing occurring in that sector. These additional funds will enable the Department to investigate those cases in a timely and effective manner, which will make a tremendous difference in our seemingly never-ending fight to create market-based trade in steel.

Taken together, the components of the national economic leadership strategy will lead to more high quality jobs for Americans, jobs that will keep us growing and prosperous into the 21st century. That is our most fundamental obligation because we are stewards of this country for our children. We owe it to them and to ourselves to plan for the future to insure that the next generation will inherit a strong and prosperous America. The national economic leadership strategy is a road map to achieve that goal, and the pending bill takes several important steps toward its implementation.

Mr. MACK. Mr. President, the Commerce, State, Justice appropriation bill for fiscal year 1993 provides funding for the Economics and Statistics Administration of the Department of Commerce. The recommendation made by the Appropriations Committee is slightly lower than last year, which is similar to the committee's recommendation for many of the areas covered by this bill and is a policy with which I am in general agreement.

I want to bring to the Senate's attention, however, some of the implications of this recommendation. The Economics and Statistics Administration is the source of a large share of our Nation's economic statistics. It funds both the Bureau of Economic Analysis and the Bureau of the Census.

The level of funding received by the Commerce Department will, I am told, cause many efforts to improve data collection by these Bureaus to cease. These will include efforts to improve the quality of our Nation's statistics which were a result of bipartisan support.

I am also informed that it will cause the elimination of certain reports, including the monthly composite index of leading indicators, the Bureau's regional statistics, and many of the reports on foreign trade. For other reports, it will mean less thoroughly analyzed data and delays in their release.

There are many reasons why we should be concerned about the loss of these statistics, perhaps most notably that bad data is the foundation for bad policy. Despite this, Congress contin-

ues to demand data from the Commerce Department—and other agencies as well—but does not provide the resources to develop the data.

One of the effects of this practice is that grant programs which are allocated on the basis of ESA data may end up distributed in a fashion different from which Congress intended. ESA does not have the resources to keep up with dramatic changes that occur in the demographic makeup of States.

As an example, fast-growing States like mine send tax dollars to the Federal Government and have them returned via formula-based grants. Many of these formulas incorporate ESA statistics which, if flawed, distort allocations that States such as Florida receive.

I fully support efforts of all parts of Government to share in the burden of reducing the deficit. But if Congress is unwilling to fund the development of reliable statistics, we should use caution in basing Government programs or policies on those statistics.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Florida is to be recognized to offer up to three amendments, if he so chooses.

Mr. GRAHAM. Mr. President, I am bringing to the attention of the Senate, through a series of amendments that I will be offering, the issue of congressional reestablishment of our credibility relative to the reduction of the Federal budget deficit.

We received, last week, some information that the good news is that, in fact, fiscal year 1992 may not be the biggest deficit year in the history of the Nation. The bad news was the reason why that would be the case. The reason is because we are deferring from fiscal year 1992 to fiscal year 1993 somewhere between \$40 and \$60 billion of the cost of the savings and loan bail out. That virtually guarantees that 1993 will be the record year in terms of Federal budget deficit. It guarantees that over the period of the administration of George Bush, we will have added in excess of trillion dollars to the Federal budget deficit.

Mr. President, we recently had a very contentious debate, both in the House and in this Chamber relative to the issue of a balanced budget amendment. Some of the flavor of that debate was captured in a column which appeared in the Washington Post by Hobart Rowen.

He stated:

The so-called balanced budget amendment that Congress appears ready to push through is the ultimate cop out by frustrated legislators who lack the political guts to restore fiscal sanity the hard way by their votes to raise taxes or cut spending. The proposal is a fraud, which, if enacted, could trigger the exact opposite of the intended result—economic uncertainty, loss of jobs, and a financial market crisis.

Mr. Rowen goes on to quote Robert Reischauer, the Director of the Con-

gressional Budget Office. Mr. Reischauer is quoted as observing:

In this election year, it would be a cruel hoax to suggest to the American public that one more procedural promise in the form of a constitutional amendment is going to get the job done. The deficit cannot be brought down without making painful decisions to cut specific programs and raise particular taxes.

Mr. President, I believe that the Senate's vote on the balanced budget amendment, which was a vote not to invoke cloture and allow that item to be voted on, places a particular responsibility on us now.

And "now" is to do the hard things that Mr. Rowen and Mr. Reischauer talked about to be prepared to take the painful cuts in order to show our credibility to the American people that we are prepared to deal with what most have identified as the No. 1 domestic challenge and the primary barrier to the achievement of many of the very objectives of this legislation, and that is a stronger, more prosperous America.

Mr. President, Congress is an institution which by its nature is inductive and incremental. We deal with crunches of matter, policy issues, and budgets as they come to us one by one. One of the criticisms of the proposal that I am about to make is that it is not comprehensive, that it does not deal with the full array of items which should be on our agenda. I agree that it is deficient, but I would suggest that if we were to take that position that the only time that we would deal with the issue of the budget deficit when we can do it comprehensively, I feel we will have to do what we have done for most of the last 30 years and that is that we will never deal with the budget deficit, that the only way in which the Congress is going to take effective action is going to be in the manner that I am suggesting today, bit by bit, piece by piece.

I also suggest that unless we are prepared to take the kinds of steps that I am suggesting today, we will never have the credibility or the political capital to do the more difficult things. We know exactly what is going to happen when someone proposes a constraint on entitlements, what exactly is going to happen when somebody proposes newspaper taxes and that is have you taken all the steps that could have been taken to reduce spending. And unless we can give a credible answer to that question, we are never going to get to the next step that we will be required to constrain an almost \$400 billion Federal budget deficit.

Mr. HOLLINGS. Mr. President, will the distinguished Senator yield?

Mr. GRAHAM. I yield.

Mr. HOLLINGS. As I understand the agreement, the Senator was to propose the amendment. Do we have the amendment proposed?

Mr. GRAHAM. I will propose the amendment at the conclusion of my remarks.

Mr. HOLLINGS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. KERREY). The Senator will state it.

Mr. HOLLINGS. Then does the time run from the time the Senator talks or from the time he proposes the amendment?

The PRESIDING OFFICER. The time under unanimous-consent agreement begins when the Senator proposes the amendment.

Mr. HOLLINGS. I see. He can talk as long as an hour or so, propose an amendment, and get another half hour and we are limited to a half hour; is that it?

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLINGS. That is clever.

Mr. GRAHAM. Mr. President, it is not my intention to engage in any parliamentary subterfuge. I was waiting to propose my amendment at the conclusion of my general remarks. I ask unanimous consent that my half-hour time commence at the time that I began my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, the scale of this problem is so great that we have already recognized it by the adoption of a deficit reduction call for debate which was in part authored by the ranking member of this subcommittee and in that resolution we, the Senate, adopted this statement. That the frequency and level of public comment on this issue by public officers and candidates, including those who hold and seek the office of President, is so insignificant as to constitute irresponsibility that, by and large, the candidates, Congress, and the media have ignored and trivialized the issue, the trivializing suggestions that meaningful deficit reduction can be accomplished merely by attacking waste, fraud, and abuse, entitlement and interest spending are the fastest growing component of the Federal budget an existing reckless policy cannot be addressed in meaningful way without including consideration of restraining entitlements, increasing taxes as well as reducing defense and domestic spending. That is the resolution we have adopted.

The extent of the challenge that we face is mirrored in the kind of action which State governments have already had to take. State governments, of course, do not have the benefit that we do of being able to finance their deficits by running the Federal printing press. They do not have the constitutional authority to print money. So they have had to deal with the issues of budget constraints.

And what have they done? I will take two examples.

California has enacted a series of across-the-board reductions on agency funding in each of the past several years. In 1989, a 2-percent across-the-board reduction; in 1990, a 3-percent across the board; in 1991, a 4-percent across the board.

We are all familiar with the fiscal crisis of California today resulting in the State issuing IOU's, a gridlock in terms of developing the State budget. It is estimated that in order to close the gap, it would necessitate spending cuts of as much as 15 percent across the board.

Mr. President, California is not the only State. Virtually every State has been facing these types of economic constraints.

In my own State of Florida, in the area of education funding, our State has suffered a \$161 million reduction in education funds in 1989, \$429 million in 1990, and \$658 million in 1991, as our State has suffered to deal with the issues of the budget realities.

Mr. President, I believe what we are facing here is essentially an ethical question. I was asked during a recent breakfast in Orlando what was the most significant ethical issue that I had faced as a Member of the U.S. Senate. Mr. President, I did not give a very adequate answer to the question, and I have pondered it since it was asked.

In reflection, it is clear what the principle ethical issue that we have faced, and that is the ethical issue of our generation's responsibility to the next generation. Essentially, what we have been doing is saying that the benefits of spending today are worth asking our grandchildren to pay for \$1 out of every \$4 of those expenditures.

I wonder what is the ethical right of one generation to make that kind of demand on another. The history of this country has been just the opposite, that the current generation sacrifices, defers benefits, invests for the future. We have adopted a policy of mortgaging the future of our grandchildren without asking their permission to do so.

So it is within that context, Mr. President, that I propose the beginning of what I consider to be the minimal steps that we should take in order to suture this enormous Federal budget deficit, and, that is, beginning the process by stabilizing the overhead of the three agencies which are the subject of the appropriations before us today and commencing that process by applying that policy consistently to the other agencies of the executive branch and to the Congress itself.

Why is the stabilization of overhead and general administration costs and a proper place to begin the long and difficult process of bringing control to Federal spending?

Overhead has been identified by virtually every economic investigator as the appropriate commencing point for

this long effort. It was identified in the Grace Commission report and in its book called "Burning Money." It has been identified in "The Challenge of Sound Management," the report of the Task Force of Government Waste by the Democratic caucus in the House of Representatives. And it has been identified by Gov. Bill Clinton in his economic positions as a candidate for President of the United States.

This is what Governor Clinton says, we must cut the bureaucracy, limit special interests, stop the revolving door and cut off the unrestricted flow of campaign funds, the privilege of Government service ought to be enough of a perk for people in Government. I will take the following steps: staff reductions, I will reduce the White House staff by 25 percent and challenge Congress to do the same; eliminate 100,000 unnecessary positions in the bureaucracy, I will cut 100,000 Federal Government positions through attrition; cut administrative waste, I will require Federal managers and workers to achieve a 3 percent across-the-board administrative savings in every Federal agency.

That is what candidate for President of the United States, Gov. Bill Clinton last stated as a key part of his plan to bring economic sanity and the future for economic prosperity to our country.

How do you deal with the issue of cutting out waste and overhead?

As Governor for 8 years of the State of Florida, I found there were essentially two ways: One is the scalpel approach in which you take a complex budget, disaggregate it, and look area for area for areas of increased efficiency, productivity, and the elimination of waste. Many of those suggestions are contained in the Grace Commission and in the task force report from the House of Representatives. Frankly, I would declare the inability to do that relative to these three budgets.

It was only the end of last week that we received the copy of the committee report and could begin to process. But even had I had adequate time, I do not purport to have the resources or ability to do that kind of scalpel approach. And I found, as Governor of Florida, with the time and resources and ability, that was a difficult process to follow.

Rather, I suggest the second approach, and that is the freeze approach, where you tell an agency you will have no more money than you had last year and therefore any increases, any new initiatives, any salary increases, any new personnel that you wish to employ, any new kind of expenses that you will undertake, have to be achieved by eliminating a current area of expenditure. That concept of freeze and force agencies to redeploy is the essence of the amendment which I am offering.

I might say, Mr. President, that his is a process that is receiving significant support from the other Chamber. The House of Representatives has been adopting policies that are moving not as far as I will suggest but in the direction of a freeze on overhead and general administrative budgets.

AMENDMENTS NOS. 2765, 2766, AND 2767

Mr. GRAHAM. And so, Mr. President, with those opening remarks, I send to the desk three amendments. The first amendment relates to the Department of Commerce. On behalf of Senator PRYOR and myself, we propose to freeze the general administrative budget of the Department of Commerce at its fiscal year 1992 level. Senator PRYOR and I will also send a second amendment which would accomplish the same for the Department of Justice; and a third amendment for the Department of State.

Mr. President, I send the amendments to the desk and ask for their immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM], for himself and Mr. PRYOR, proposes amendments numbered 2765, 2766, and 2767, en bloc.

The amendments follow:

AMENDMENT No. 2765

(Purpose: To reduce an appropriation for Department of State)

On page 78, line 22, strike out "\$2,101,000,000" and insert in lieu thereof "\$2,016,035,000".

AMENDMENT No. 2766

(Purpose: To reduce an appropriation for Department of Justice)

On page 6, line 10, strike out "\$118,234,000" and insert in lieu thereof "\$110,100,000".

AMENDMENT No. 2767

(Purpose: To reduce an appropriation for Department of Commerce)

On page 50, line 26, strike out "\$32,654,000" and insert in lieu thereof "\$31,280,000".

Mr. HOLLINGS. Mr. President, I have heard about this incremental, and I am looking at these letters of increment from the Senator from Florida. I keep going down these different requests here that the distinguished Senator from Florida has asked.

I ask unanimous consent to have these letters printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, June 23, 1992.

Hon. ERNEST HOLLINGS,

Chairman, Justice, State Subcommittee, Committee on Appropriations, U.S. Senate.

DEAR MR. CHAIRMAN: As follow-up to our discussion last week regarding the University of Miami's North-South Center, I appreciate your continuing support for the Center and your efforts to sustain appropriate funding.

The United States Information Agency has embraced this project and is actively in-

involved with its programs. USIA has included \$10 million for the North/South Center in its FY 1993 spending plan. I hope that you will find it possible to provide for USIA's \$10 million request in your bill.

Thank you again for your continuing support.

Sincerely,

BOB GRAHAM,  
U.S. Senator.

U.S. SENATE,  
Washington, DC, April 1, 1992.

Hon. ERNEST F. HOLLINGS,  
Chairman, Subcommittee on Commerce, Justice, State and Judiciary, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed is a letter from the Speaker and the President of the Florida Legislature outlining their concerns about limits placed on legal service organizations. As Chairman of the Appropriations Subcommittee with jurisdiction over funding legal services, this should be of interest to you.

The Legislature is opposed to any limits on lobbying at the state level by legal service organizations, and I am sympathetic to their position. These groups provide important information to policy-makers and should not be precluded from appearing before legislative panels.

As your subcommittee considers funding for legal services organizations, I hope you will oppose any overburdensome restrictions on their ability to communicate information to the legislative branch.

With kind regards,  
Sincerely,

BOB GRAHAM,  
U.S. Senator.

THE FLORIDA LEGISLATURE,  
Tallahassee, FL, March 17, 1992.

Hon. BOB GRAHAM,  
U.S. Senate, Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR GRAHAM: We have been informed that Congress will soon be considering legislation which would provide funding for legal services for those who are unable to afford the assistance of counsel. We understand that as an amendment to this legislation, Congress may seek to limit the ability of legal service organizations to lobby at the state level.

On behalf of the membership of The Florida Senate and the Florida House of Representatives, we would like to express our concern with any overbroad limitation on the ability of the Members of The Florida Legislature to obtain information essential to arriving at informed answers and solutions to the problems faced by the less fortunate citizens of Florida. At a minimum, we would ask that those employed by legal service organizations be available to respond to state legislative inquiries on issues in which they have developed particular expertise. In our experience, these issues have generally involved landlord/tenant disputes, migrant labor, legal process and procedures, and family law. These are issues which are of great concern to our citizens and upon which all sides of the issue must be fully understood.

Thank you for any consideration you can give to this issue. If there is any way we can assist you, please let us know.

Sincerely,

T.K. WETHERELL,  
Speaker, Florida  
House of Representatives.  
GWEN MARGOLIS,  
President, the Florida Senate.

U.S. SENATE,

Washington, DC, May 1, 1992.

Hon. ERNEST F. HOLLINGS,

Chairman, Senate Appropriations Subcommittee on Commerce, Justice, State and Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: As you begin hearings for the fiscal year 1993 Commerce, Justice, State, and Judiciary appropriations bill, we would like to bring to your attention issues of importance to both of us.

When considering the budget for the Immigration and Naturalization Service and related agencies under the Department of Justice, we would appreciate your attention to the overwhelming pressure on the Florida district as a result of the tremendous legal and illegal immigration increases and the rapid growth in dependence on Florida's airports as entry points for international visitors. We hope the Subcommittee will help to ensure that the Justice Department completes its movement toward apportioning its staff among the nation's districts through a process which directly correlates to the demands placed on each district. We also recognize the overall staff limitations facing the Immigration Service and believe that a funding increase would serve the national interest. The growing delay at major points of entry is a strong disincentive for foreign visitors to come to the United States on either pleasure or business. We believe the best solution is to ensure that adequate inspections staff is in place at each such overburdened entry point.

We appreciate the Committee's actions last year to include \$5 million for the North/South Center, based at the University of Miami's Graduate School of International Studies. This program has been embraced by USIA as is evidenced by the \$10 million request made in the President's FY 1993 budget. This funding combined with prior year appropriations, will allow the Center to expand its education, training, cooperative study, and public outreach programs.

One of our highest environmental priorities continues to be the protection of the Florida Keys coral reef tract. The Florida Keys National Marine Sanctuary, designated by Congress in 1990, has support in Monroe County, Florida from a broad range of commercial, conservation, and recreational interest groups. An advisory counsel representing each of these interests has been assembled to assist the Department of Commerce with development of a management plan for the sanctuary.

We are pleased that the President's budget included an increase in the level of funding for the National Sanctuary Program to \$7.5 million. An independent panel assembled by the Department of Commerce suggested the program be funded at \$30 million. We are aware of the budget restraints placed on the Subcommittee, and therefore are requesting a more moderate appropriation of \$11 million for the nationwide program.

Florida is also the home of one of the leading marine and atmospheric science research, education, and training centers in the nation. The Rosenstiel School of Marine and Atmospheric Sciences at the University of Miami has been working closely with a number of federal agencies on a variety of programs. One such program is the School's successful fisheries program with NOAA, known as SEFCAR/FOCI, created to enhance critical fish populations in the Southeastern U.S. and Caribbean/Latin American regions. We respectfully request continued funding for this project with the NOAA budget at a level of \$2.5 million.

As in previous fiscal years, we again want to add our support for NOAA's Sea Grant and National Undersea Research Programs. Florida has an active role in each of these programs, and their funding and support by the Committee has enabled Florida to fully participate in both.

We request \$225,000 for the Center for Shark Research at Mote Marine Laboratory in Sarasota, Florida. This funding will assist in expanding research programs, and acquiring major new equipment to support continuing and upcoming research projects. As you may know, a national center for research on sharks has been established at Mote Marine Laboratory in cooperation with the National Marine Fisheries Service, NOAA, and U.S. Department of Commerce. The federal share of this project is less than half of the projected FY 93 budget of \$675,000 for this important research.

A planning grant of \$500,000 is requested for Florida Atlantic University to support the furtherance of the existing ocean technology center in the Department of Ocean Engineering at Florida Atlantic University. To be located in the Florida Atlantic University Research Park, the envisioned ocean technology center will create an infrastructure to support ocean engineering research and technology transfer to the marine science, environmental and industrial communities with a particular emphasis on contributing to global competitiveness.

As we requested in FY 1992, Florida State University is attempting to establish a relationship between the federal government and their Meteorology Department. To do so, we would like to have language directing that NOAA work with Florida State University in developing either a new NEXRAD system or the movement of an excess system to Florida State University.

The Coastal Zone Management Program is exceptionally important to Florida. The entire state is part of the coastal zone, and the program is a valuable tool for the management of activities that affect Florida's interests. We recommend an increase in overall funding for the federal portion of this program.

Thank you in advance for your consideration. If you have any questions or need further information, please contact either Jeremy Bronson (Graham) at 4-1546 or Patrick Kearney (Mack) at 4-3102.

Sincerely,

BOB GRAHAM,  
U.S. Senator.  
CONNIE MACK,  
U.S. Senator.

Mr. HOLLINGS. That is the incremental that we suffer under our most distinguished colleague.

When Senator RUDMAN and I sat down, after all the work we had done, we added up some 635 requests to the tune of \$8.5 billion in add-ons. So the lecture relative to incrementalists in Government is well experienced and well resisted by this Senator.

If you really want to get to the deficit—now is not the time to play the games when we have done a good job of cutting back on the spending. If you really want to get to the deficit, we tried it in the Budget Committee in a bipartisan fashion.

Incidentally, I had the support not only of the Senators from Nebraska and Alabama and several on the Democratic side, but the Senators from New

York, Missouri, and others on the Republican side, going right at the target.

There is an old saying that we used to hear as kids listening to the radio, Big John and Sparky. "All the way through life make this your goal: Keep your eye on the donut and not the hole."

At this particular moment the donut is to stimulate this stagnant economy. This Senator has been here shouting about these deficits for a good 12 years, opposing Reaganomics, putting in freezes, putting in Gramm-Rudman-Hollings, and more.

But the donut, the task at hand, is to stimulate the economy. And if you had a \$10 billion, \$15 billion, \$20 billion deficit, you would add \$20 billion to the deficit. And the savings on the Commerce Department under this first amendment is less than \$2 million. If you want to talk about incremental, we would be around here for the next 200 years with deficit reduction of that minuscule increment.

What we did in that bipartisan plan, so we will get in step with my distinguished friend, is we said, yes, cut across the bureaucracy some 10 percent; cut defense, but no deeper than President Bush's figure; yes, cut intelligence some \$2 billion; yes, freeze domestic spending, freeze foreign aid. We saved some \$20 billion and allocated it to investment-oriented tax incentives including reduced capital gains taxes, investment tax credits, accelerated depreciation, individual retirement accounts, restoration of passive losses on real estate, tax credits for first-time homebuyers—all of it, and hope you can get us out of the ditch here. Because that is where we are.

Half of our problem is this deficit, of course, and the other half is a lack of a competitive trade policy. So we are in deep trouble in this country. The ox is in the ditch. And we are in step in trying to cut spending, not in flagellating and demonstrating and grandstanding out here about a pathetically small \$1.7 million in spending.

When Ms. Barbara Franklin came in, I said, now we have moved from the cold war to the trade or economic war. You are Gen. Colin Powell, the Chief of Staff now, and we have to gear you up. I want to build up the Commerce Department. We did cut, because we cut 2 percent across all of them. And looking at that one, we cut \$3.375 million, almost twice as much as what he is asking for, from the President's request.

Why were we gearing up? Because the very same Senator from Arkansas—and I want to thank him for his praise about technology—but we are beefing up the National Institute of Standards and Technology, the advanced technology program, the manufacturing technology centers. We are moving forward with the antidumping findings now. And they finally made a finding

on the minivan. They are finally getting in business, so the steel companies are all calling for scrutiny. So we gave another \$5 million in that area. And we are trying to turn the Commerce Department into an aggressive agency in this economic struggle that we are in.

So this amendment is not well taken at all. This amendment is strongly resisted. I know where I can save that amount on some of the requests made by certain Senators here. But we are trying our best to bring in a bill after all this hard work.

The inference here is that we have not looked or that we are not conscious about the dilemma that the country finds itself in. You are worried about \$1.7 billion in the Department of Commerce. I am worried about the \$400 billion deficit which we are financing with 8 percent T bills. That 8 percent Treasury bill is \$32 billion in interest costs that we are increasing spending for nothing, absolutely nothing—the Grace Commission, waste, fraud and abuse. Where is Peter Grace? I have not heard him on that.

Oh, we had it working. We had Gramm-Rudman-Hollings. We cut that deficit down to \$150 billion in the first full year. But the summiters undid Gramm-Rudman-Hollings. Do not talk about the gridlock. It is when Republicans and Democrats get together, Mr. President, that we are in trouble. They got together and did away with Gramm-Rudman-Hollings and as a result we have gone from a \$150 billion deficit to over \$400 billion in deficit spending this year.

The President of the United States last year said that this country is headed in the right direction, that we are reducing the deficit \$500 billion over 5 years. Absolutely false. Absolutely false. I said so at the time on the floor.

We are headed in the wrong direction, increasing the deficit \$500 billion in 1 year. Because if you leave out these trust fund surpluses, \$500 billion is the true deficit. We are borrowing \$1 billion a week from Social Security, and more from the other trust funds.

So Senator RUDMAN and I, we are going to get our Social Security. But that young lady there, she is not going to get hers. We can quit this afternoon and get ours.

It is a disgrace. We will owe Social Security, in 7 years, by 1999, \$1 trillion. And when they go in the drawer to get the money, having all these IOU's there, they will turn the trust funds into a welfare fund, and say all who make over \$15,000 do not need it, and that kind of thing.

In fact, that is what they are talking about—entitlement. Social Security—there is no deficit in Social Security. Social Security is not causing the deficit. Senator MOYNIHAN and I tried to point that out, and they opposed that. The leadership and the White House

got together and said: Do not mess with Social Security. We tried to stop an increase in Social Security taxes and put it totally off as a trust fund.

So now is not the time to get the good Government award because I stood on the floor of the Senate and I said we have to finally do something. It is all incremental, and I am going to start with my increment. I know where we can start: With the distinguished Senator's increment.

We will see.

Let me reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time? The Senator from New Hampshire.

Mr. RUDMAN. Mr. President, I just want to correct one thing the Senator from South Carolina said.

Mr. HOLLINGS. You are ready for it.

Mr. RUDMAN. Just a small, factual error. I am not yet ready for Social Security.

I want to thank my friend.

Mr. HOLLINGS. But you can get it.

Mr. RUDMAN. Mr. President, I cannot add too much to what my friend from South Carolina has said. But I just want to, in 3 or 4 minutes here, go through some of the actual numbers, to put them in the RECORD to indicate that this amendment really is not necessary.

We are discussing three amendments. We are going to vote on one.

In the case of the Commerce Department, the general administration account funds the offices of the Secretary of Commerce and the administrative functions of the Department. For fiscal year 1992 this account received \$31.3 million; the request for 1993 is \$36 million, but the committee has reduced that request by \$3.4 million down to \$32.6 million. As it is, this will lead to a reduction in personnel for the offices of the Secretary and the administrative offices of the Commerce Department.

Unquestionably, there will be a reduction in people and services they render under our number. The request would have funded it at current services or slightly higher.

Similarly, the committee is reducing the request for the general administration account of the Department of Justice by \$14.7 million; the 1993 level would be \$118.2 million, \$8.1 million over 1992 but well below the request of over \$130 million. At the same time, we are asking the Justice Department to implement the Americans With Disabilities Act, and have included discretionary authority to transfer up to \$32.3 million from this account to the Equal Employment Opportunity Commission.

Even under the committee recommendation, it will be impossible—I just want to state that unequivocally. We all talk about all of the things we do here with great fanfare. I want to

make it clear there is no argument anyone will make that will disagree with this. We will not be able to fully implement the responsibilities of the Justice Department under the Americans With Disabilities Act this year. Senator DURENBERGER, I think, made that point adequately in the RECORD last evening. I need not expand on it.

Finally, the committee has reduced funding for the salaries and expenses of the State Department by \$30.1 million below the request of the President. While this represents an increase of about \$85 million above the 1992 level, the increase for administrative expense is somewhat misleading since within that number the committee is providing an increase of \$25 million for global and climate change research, which is universally supported on the floor.

At the same time we are asking agencies in the various departments of the Government to be more efficient in managing these programs, the amendments before us would propose even further reductions in the administrative accounts of the Departments of Commerce, Justice, and State.

I will just make one flatout statement here, having watched this Government operate for awhile. If you want these bureaucracies to truly run out of control without any central direction or oversight, then vote for these amendments. We have billions in these programs, and very small amounts of management. It would be like saying to a major manufacturer: "Keep all your factories running. We are going to start shutting down your administrative offices." That sounds good, but you would hate to see what the factories would produce after a few months of that kind of chaos.

Frankly, we are always complaining the bureaucracy does not run very well. We are taking the money out of the very part of the Government that oversees those bureaucracies. Do any people think the committee can oversee these bureaucracies? They have not been here very long. We cannot do it. We have to have faith in the Cabinet officers and their staffs to oversee these bureaucracies.

Although I am sure the intentions of my friend from Florida are pure—because I know he is dedicated to deficit reduction; I agree with that—I do not think these amendments really accomplish that. If you want to accomplish that, as my friend from South Carolina said, let us eliminate programs. There are a lot of programs in this Government that really ought to be addressed.

Unfortunately, we have yet to find support for that. Senator HOLLINGS and I have both attempted that on occasion, with very little success.

If we really want to talk about deficit reduction, we should be cutting programs, not proposing vague administrative reductions which are easy to propose but will result in a less responsive, efficient government.

In fact, the committee is cutting programs in this bill. The reduction below the President's request for the bill as a whole is \$412 million; most NOAA programs are cut 4 percent below last year's level; even the Economic Development Administration is cut \$77 million below 1992. While the committee has made these tough choices, the amendment pending on Commerce would only save \$1.4 million in the general administration costs of the Commerce Department.

Mr. President, it is for those reasons I have to urge my colleagues to oppose this and the other two amendments offered by the Senator from Florida.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLINGS. How much time remains on either side?

The PRESIDING OFFICER. Fifteen minutes ten seconds to the Senator from South Carolina, and 13 minutes and 5 seconds to the Senator from Florida.

Mr. HOLLINGS. Mr. President, I will just add one comment, and then listen, of course, to the response of my distinguished colleague from Florida. But the actual figure of the cuts in this bill, as we reported it, for domestic programs is \$939 million in outlays—that is actual spending—below President Bush's request; \$360 million in outlays below current policy as estimated by CBO. So what we have had, in essence, is a freeze on new domestic programs, on new outlays for domestic programs. When you consider spending for all categories—domestic, international, and defense—we are \$413 million below the President in budget authority and \$847 million below in outlays.

I commend the staff, in our opening statement, on the wonderful job they have done, because they have been working all spring and summer long to bring a credible bill, a tough bill, to the Senate. You cannot run around here and be an author of a freeze, and Gramm-Rudman-Hollings, and then come and spend us blind.

I said we are going to hold the line in our particular subcommittee. The truth of the matter is the 602(b) allocation held us in line. We got less than what we really needed.

So I think the Senate ought to really know, too, the distinguished Secretary of Commerce, Ms. Franklin, as far as I can see, is doing an outstanding job.

I thought, like I heard from a lot of the colleagues, here we go and we have another fundraiser. The fine lady has done just that, raised funds in her time. I have been through a good dozen—16 Secretaries of Commerce or more in my particular time. All of them have been just about fundraisers.

They do not pay attention to trade. They do not pay attention to commerce. They wonder where in the world

they got NOAA from, the Ocean and Atmospheric Administration, and where they get all of these people in the Weather Bureau. And you get these gold satellites and the administration of them. We find out we lost millions and millions of dollars because they were not administering properly. We finally have that in hand now.

We have a team working with the team over in NASA, the National Aeronautics and Space Administration office, to take these expensive satellites and get on top of that.

In the meantime, the NOAA fleet is in disrepair; the facilities and laboratories of old Bureau of Standards, now the National Institute of Standards and Technology, needs refurbishing. We have to modernize its equipment to conduct technological research. And we have an outstanding Secretary of Commerce who is working on these problems, and she is the general in this economic war we are into now.

I would not want to cut her another red cent, because I want to give her the tools to do the job.

We have done the best we possibly can to come now and just try to identify, in a minimal way, with wonderful talk about how we are going to solve the deficit. I outlined the plan. The plan we outlined is done; a stimulation of the economy without increasing taxes and without increasing the deficit.

If you can put a tourniquet on this \$400 billion deficit, over a billion a day more than we have taken in, you have done a pretty good job all the way around to hold the line, stimulate the economy, get the body politic strong enough to take the surgery that is going to be necessary to get rid of this fiscal cancer.

I reserve the remainder of our time.

The PRESIDING OFFICER. The Senator from Florida has 13 minutes, 5 seconds.

Mr. GRAHAM. I yield 10 minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, I thank the distinguished Senator from Florida who has proposed this amendment. I think this is a good amendment. I have this morning previously cited on two or three occasions the very splendid contributions of the Senator from South Carolina and the Senator from New Hampshire in coming forward in this bill with some very, very innovative ideas related to defense transition.

However, I think what the Senator from Florida is proposing is one of those absolutely rare amendments that is going to start getting at the heart of some of the explosion in our Federal Government. I think that his amendment, which I am supporting, goes to the heart of the matter of the addition of staff, the general administration, the salaries and expenses, and, also, I

think it goes to the heart of the matter, Mr. President, of dealing with what we call other services.

Other services, as all of us probably realize, are those services that relate to private contractors and consultants. We have seen, since 1989, an enormous explosion in the use of private contractors and consultants. For example, just last Friday, we had a hearing on the SDI Program. We found that contractors and private consultants who are brought in to advise and give thoughts and to develop the SDI Program, some of these consultants are getting \$800 a day. That is \$100 an hour. Many of these consultants are getting a lot more than this.

It is my understanding that the Department of Justice would be getting, if we passed this bill without the amendment offered by the distinguished Senator from Florida [Mr. GRAHAM] an 8.7-percent increase, the State Department a 15.2-percent increase, the Commerce Department, an 11.3-percent increase. And what the amendment of the distinguished Senator from Florida does is basically say, "Let us hold the line."

I think this should be applied to all of the 13 appropriations bills. I hope that he goes forward on all of the 13 appropriations bills. I hope it will also apply, Mr. President, to the legislative branch of Government. I think it is time that we do this. I also think it is time that we really see if we cannot begin to curtail the cost of government and certainly the cost of administering the Government.

This is what the amendment of the Senator from Florida does. Definitely, I think it would have a real impact and certainly would send a signal on the use of private consultants and private contractors, and that usage is exploding at an enormous rate.

Mr. President, the President of the United States, President Bush, in January, got up in his State of the Union Address and talked a great deal about how we are going to freeze the number of Federal employees, and everybody got up and cheered and clapped at that idea. But what he did not tell us is that we are going to continue hiring private contractors and private consultants at sometimes 25 to 40 percent more to do the same jobs, and it is going to cost us 25 to 40 percent more. We have just seen an enormous growth in this. I think Senator GRAHAM's amendment is an attempt to deal with this problem and to deal with the general growth in government at the very top.

The President's 1993 budget, for example, overall, Mr. President, asked for \$90 billion for service contracts. That is throughout the entirety of our Federal Government. It ranges from research and development to painting contractors. And one-third of this money, \$35 billion, is spent on support contracts that we have found to be riddled with waste and abuse.

I think the Senator's amendment is a good one. I am going to support it. I have asked him to add me as a cosponsor.

Mr. President, I yield what time I have back to the distinguished Senator from Florida.

The PRESIDING OFFICER. Who yields time on the amendment?

Mr. HOLLINGS. Mr. President, how much time do we have.

The PRESIDING OFFICER. Eleven minutes, seventeen seconds.

Mr. HOLLINGS. Mr. President, I would like to respond to my distinguished friend from Arkansas. Earlier, I expressed my gratitude for his complementary remarks relative to the inclusions that we have on a very important study that the Senator from Arkansas made relative to defense conversion. We are going toward technology. He and I are in lockstep trying to develop an economic competitiveness, and that is to be done in main within our own Commerce Department. So at the very time we are trying to build up the Department, they come, at the same time, to talk about cutting it back.

I once again say we cut back 10 percent from Commerce general administration. We cut back 10 percent from the President's budget request. In fact, the overall bill for all functions, as reported, \$413 million in budget authority and \$847 million in outlays below the President's request. We do not mean to stand idly by. And it can be taken care of in the conference committee. We are not worried about that. But what we are worried about is the lack of an understanding on the one hand and trying to identify with savings on the other hand and the sort of Pavlovian fashion that colleagues come to the floor with, "Oh, this is for cutting spending. I want to identify with cutting spending so I can put it in my little 20-second sound bite that we had an amendment to cut spending, and so I voted for it."

Talk about consultants. The distinguished Senator knows that I have been a cosponsor of his move to get rid of consultants, in fact, to get rid of the Washington lawyers down here. I have a hard time defending the trial lawyers, I can tell you that, who work for their living. This crowd comes in demanding \$300, \$400 an hour. Look at the RTC lawyers. Get into that where you can save.

I met with a gentleman just the night before last. He had been trying to call and call and get a message through. Instead, the RTC crowd flies from New York all the way down to Georgetown, SC, with a staff, lands in Charleston, hires a limousine, comes out, spends 2 days, 2 nights, goes back up and charges all that to the Government at \$400-some-odd an hour. And here we have a Department we are trying to build.

Let us be selective and look where we are trying to save. We have a Department of Defense operation of \$39 billion in research and development over on the other side of the Potomac, and they do not know what to do with the money, so they have gotten all kinds of new programs for it, and everything else of that kind.

And Agriculture; we have 80 percent of the trade in international trade. In the Commerce Department, we get \$200 million to promote it. They get \$900 million over in Agriculture, plus a \$5.6 billion Export-Import Bank to bolster it, and everything else like that.

This Department has been cut, cut, cut, and they can cut more and give themselves the Good Government Award.

Let us see what our colleagues want to do because we can find it and take care of it in conference, Mr. President. But they ought to understand that this staff in the Senate has worked hard, the Appropriations Committee has worked hard. We did not go willy-nilly. We did cut programs across the board, and for domestic programs we reported a bill of \$939 million in outlays, in spending, below President Bush's request and \$360 million below current policy. That ought to send a message of real savings. And to come around and just get an identification with 1.3 million here, more just to identify with the problem and not really do anything substantive about it, I do not think is worthy of the Senate.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. GRAHAM. Mr. President, how much time do I control?

The PRESIDING OFFICER. The Senator from Florida has 7 minutes.

Mr. GRAHAM. Mr. President, I yield myself such time as is necessary.

Mr. President, I recognize the long leadership which both Senator HOLLINGS and Senator RUDMAN have provided to the issue of deficit reduction. There are no two Senators whose names, as well as careers, are more associated with that objective than these two Senators. I was regretful that by happenstance the first appropriations bill which came before the Senate happened to be the one they had shaped, because what I am talking about is not an issue that is targeted at these three agencies.

As I indicated, it is my intention to offer this same amendment to freeze general administration overhead on all of the budgets including the legislative budget. And while the amount of dollars available in the particular Department of Commerce overhead, which is a relatively small agency, may appear in the scale of things to be miniscule, the potential savings in all three of these agencies is not insignificant—approximately \$90 million. And the savings that will be available in applying

this consistently to all executive agencies and to the congressional branch will be very significant.

I want to comment on something the Senator from South Carolina said. I know he did not mean to infer that there was something inappropriate in raising these kinds of questions. We are all Members of the Senate with our responsibilities. Many of us have had the privilege in the past, as has the Senator from South Carolina and the distinguished Presiding Officer, to be Governors of our States where we had major budget responsibilities, and therefore we bring some particular background and perspective to that task.

Yes, I am going to be an aggressive, I hope effective, advocate of issues which relate to my State. That is one of our responsibilities as an elected representative to the Senate. It happens that many of the most important national issues which are under the jurisdiction of the agencies in this budget happen to have a special focus in the State of Florida. For instance, many of the law enforcement functions are in this budget. For too long my State was at the forefront of the Nation's fight against the scourge of drugs. Our geography placed us there. And, yes, I am going to be a strong advocate for those things which will strengthen the Nation's effort in those areas and others and do not consider that to be inconsistent with a program which says let us go where we can reduce Federal spending with the least impact on those front-line programs. That is the area which has been identified by the Grace Commission, by the House Task Force on Management, and by Presidential candidate Bill Clinton, which is a target on the overhead accounts.

I also believe it is the responsibility of all of us, collectively, to be identifying every area in which we think there are opportunities to reduce the deficit. Yes, there are areas in RTC, and I believe our distinguished chairman has brought again to our attention an area which deserves our major attention. I hope we would through this process be identifying and then prepared to act in many areas that can contribute toward our goal.

Mr. President, I do not consider what we are suggesting in terms of reductions is excessive or Draconian. The first budget we are going to vote on is the Department of Commerce. The difference between the budget for overhead and general administration as recommended by the committee, and in the amendment that I have suggested, is approximately \$1.2 million. That is \$1.2 million, with an "m." The budget for the Department of Commerce this year is \$3.3 billion. It represents an increase over fiscal year 1992 of \$340.1 million, or 11.3 percent over fiscal year 1992. I am talking about a \$1.2 million reduction in an agency whose budget

increase is \$340.1 million or 11.3 percent.

I do not consider it to be asking too much of this department to contribute toward a general policy that we will take as a first step toward reducing the Federal budget deficit, a freeze on the overhead and general administration of the executive agencies and the Congress.

Mr. President, I conclude with an admittedly stolen quote, and that is if we are not prepared to take this step today to say, for this budget and as a policy for future budgets, that we will at least freeze at current year levels the overhead and general administration of these agencies, if we are not prepared to make that step toward deficit reduction, then where are we prepared to make the step? If we are not prepared to do it today, when will we be willing to start?

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLINGS. Mr. President, the resistance that we have is to the fact it is not taking one real step. It is a game. Everyone within the hearing of our voice understands that. If they really want to cut spending, we can get some bigger cuts. The reason we resist it is we have done these things. We cut back—like I say, \$939 million in outlays less than the President for domestic programs, including Commerce and Justice, \$360 million less than inflation in current accounts. We cut 10 percent out of the administration accounts.

The assumption is that we did not look hard and we went willy-nilly and just gave them the same thing over again.

We are just not going to let that pass.

They can vote and act like they have done something for \$1.3 million in this particular Commerce budget; that they have started a trend now; they have really a feel for budget reductions now; we have a conscience about this thing; and we are really going to finally do something about deficits in these appropriations bills.

It is a not taking a step forward. It is just playing games.

I just say, Mr. President, we would be willing to yield back our time and try to vote close to 11 o'clock, but we feel very strongly that when you have done a very credible job and have come in way under the President in this particular department and others—we have had to struggle with the administration over the years, trying to build up the Commerce Department and trying to get them to enforce these anti-dumping trade cases, trying to get them into the export-import business, trying to expand the United States and Foreign Commercial Service into the former Soviet Union, computerize these things, build up the technology and community assistance now that

everybody wants in defense conversion, just at the time we get a willing Secretary and she has the same desire and is working hard—and we want to nitpick here. This is not a step toward deficit reduction. It is nitpicking.

If they really want to save some money, then we have given them a plan and we will give them some more plans that will really put us in step and really get something done. This just helps in getting press. That is all it does.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. I yield the remainder of my time to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, I thank the distinguished Senator from Florida for yielding to me. I think we have about 1½ minutes remaining on this side.

Mr. President, my good friend from South Carolina has characterized this—maybe I am putting in his words now—as sort of a feel-good amendment. I do not feel good about this amendment. I do not have any feeling of righteousness in supporting the Graham amendment. I would feel very badly, though, Mr. President, if I did not point out to my good friend that under this proposal, if we do not adopt the Graham amendment, we are going to see other services increase, it looks to me, by about 62 percent, about 62 percent under this proposal.

Mr. HOLLINGS. If the Senator will yield, that is the President's request you are reading. That is not the committee-recommended bill.

Mr. PRYOR. It is a 1993 estimate. That is the figure I have.

Mr. HOLLINGS. That is not our bill. That is the President's request. Senator, we already cut that by \$3.3 million.

Mr. PRYOR. If I might respond, and I am running out of time, Mr. President, something I would not feel good about, I would feel very badly about, is to not bring to the attention of our colleagues the fact that in 4 years the cost of private contractors and consultants in this country has grown by 65 percent.

We appropriate that money and this is one of the few amendments that I have seen in recent years that begins—just on the Commerce Department, I understand this, but next is the State Department, next is the Justice Department, next is the Agriculture Department, right on down the line—to get some control over the cost of government. We have to start getting a handle on this. It is that kind of amendment that I support. I hope our colleagues will support it.

Thank you, Mr. President.

Mr. HOLLINGS. Mr. President, do I have a minute?

The PRESIDING OFFICER. The Senator from South Carolina has 1 minute and 30 seconds.

Mr. HOLLINGS. Get a handle on it. You can take all of those departments. But get it on the RTC. That is a consultant. That is the consultant crowd. I can tell you where it is. That is where the big waste is.

If you take the department, the Commerce Department, and want to single it out, and act like I say, in all candor, my friend from Arkansas, it is just not that. We went along when President Reagan came into office, and we had a 10 percent cut by way of attrition, something similar as the Senator was quoting Governor Clinton. It did not hurt us. Cut our own staff. I recommended that. But if you really want to do something, let us take them all, our staffs, all of the staffs, everywhere around, and let us see if we cannot do with less. But as we do it, do not come to the Commerce Department here where we have these added responsibilities that you praise us for like Defense economic conversion, and say do not administer them.

I yield the remainder of my time.

Mr. KOHL. Mr. President, I rise in support of the Graham amendments. I am not going to spend time talking about the deficit. We all know its size, its ill economic effects, and the failure of our political leaders to bring it under control. What is news today is that we have an opportunity to vote on three amendments that go beyond talk and actually cut spending.

This amendment freezes spending in the general administrative accounts of the Department of State, Department of Commerce, and Department of Justice. Those accounts fund the administrative operations of each agency—that is, official travel, rental of office space, office decoration, general policy development, management strategy, et cetera. In short, the accounts cover the centralized operations of the three agencies.

The reason for focusing the freeze on the general administrative costs is not that these represent wasted money. They do not. Instead, these accounts contain what most people would call overhead spending. That is the spending that can be controlled and that should be cut in tough financial times.

Many private economic analysts—including the Grace Commission—have identified overhead costs as the first front on which we should fight runaway spending. Of course, office supplies are necessary, but when your operation is billions of dollars in the hole, you can do with a few less envelopes. Of course, official travel is important, but when your operation has debt of trillions of dollars, you can send fewer people to overseas conferences.

I certainly agree that these amendments are not targeted to overhead expenses as accurately as I would like. However, that is not the fault of the Senator from Florida. Neither the ap-

propriations bills we consider, the budget resolution we have already passed, nor the agency budgets submitted to Congress contain exact figures for overhead expenses. Try to track the Department of State's travel expenses—you cannot. Try to find out how much is appropriated for office space—you cannot. Our accounting system is so arcane and so convoluted, there is no way for the members of this body to trace and control Government spending.

And clearly—clearly—that is what we must do. The deficit represents a financial crisis and a crisis of confidence. The American people believe we are not managing their money well. They believe that, in budgeting billions of dollars, we have lost sight of the worth of \$1. These amendments are a chance to regain some of that confidence—a chance to say we are willing to look for ways to hold the line on spending. I urge my colleagues to support all three amendments.

Mr. ROBB. Mr. President, like the senior Senator from Florida, [Mr. GRAHAM] I served as Governor before coming to this body. When a Governor comes to work each day, the "In" box is full of difficult choices. Most of those choices pit attractive opportunities and programs against the constraints of a balanced budget. The time has come for us to get more accustomed to these choices in Washington.

Senator GRAHAM's amendment begins that familiarization process. It freezes funding for overhead and administrative expenses at the current level for the Departments of Commerce, State, and Justice.

This amendment does not cut down on enforcement of laws and regulations, nor does it take critical resources away from the people at the cutting edge; the diplomats, trade negotiators, or FBI and DEA field agents. But it begins the process of serious deficit reduction which it has always been easier to postpone.

I recognize that a disproportionate number of the constituents who will face the brunt of this level funding live and vote in my own State. Yet I know that many of them would be among the first to agree that a sound government must be a leaner government. If we are serious about getting this country's finances back under control, we have no choice but to start reducing spending somewhere—and this is a logical place to start.

I thank Senator GRAHAM for this amendment, and commend him for his courage in offering it. I plan, Mr. President, to join in backing similar administrative freezes in every appropriation, including the legislative operations bill.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the first Graham amendment No. 2765.

Mr. GRAHAM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 2765 of the Senator from Florida [Mr. GRAHAM]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. HOLLINGS. Mr. President, I suggest the absence of a quorum. I think we have the wrong amendment here.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the vote occur on amendment 2767.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, the yeas and nays are vitiated on amendment 2765, and the yeas and nays are ordered on amendment 2767.

The question is on agreeing to the amendment of the Senator from Florida [Mr. GRAHAM]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk call the roll.

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY], the Senator from North Dakota [Mr. BURDICK], the Senator from Illinois [Mr. DIXON], the Senator from Tennessee [Mr. GORE], and the Senator from Massachusetts [Mr. KERRY] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from New York [Mr. D'AMATO] and the Senator from Florida [Mr. MACK] are necessarily absent.

I further announce that the Senator from North Carolina [Mr. HELMS] is absent due to illness.

I further announce that, if present and voting, the Senator from North Carolina [Mr. HELMS] would vote "yea."

The PRESIDING OFFICER (Mr. WOFFORD). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 50, nays 42, as follows:

[Rollcall Vote No. 153 Leg.]

YEAS—50

Bingaman	Daschle	Kasten
Bond	Durenberger	Kerrey
Boren	Ford	Kohl
Brown	Fowler	Levin
Bryan	Glenn	Lott
Burns	Graham	Lugar
Coats	Grassley	McCain
Conrad	Harkin	McConnell
Craig	Hatch	Metzenbaum
Danforth	Kassebaum	Mikulski

Murkowski  
Nickles  
Nunn  
Pressler  
Pryor  
Reid  
Robb

Roth  
Sanford  
Sasser  
Seymour  
Shelby  
Simon  
Smith

Specter  
Symms  
Wallop  
Wellstone  
Wirth  
Wofford

NAYS—42

Adams  
Akaka  
Baucus  
Bentsen  
Biden  
Breaux  
Bumpers  
Byrd  
Chafee  
Cochran  
Cohen  
Cranston  
DeConcini  
Dodd

Dole  
Domenici  
Exon  
Garn  
Gorton  
Gramm  
Hatfield  
Heflin  
Hollings  
Inouye  
Jeffords  
Johnston  
Kennedy  
Lautenberg

Leahy  
Lieberman  
Mitchell  
Moynihan  
Packwood  
Pell  
Riegle  
Rockefeller  
Rudman  
Sarbanes  
Simpson  
Stevens  
Thurmond  
Warner

NOT VOTING—8

Bradley  
Burdick  
D'Amato

Dixon  
Gore  
Helms

Kerry  
Mack

So the amendment (No. 2767), was agreed to.

Mr. GRAHAM. Mr. President, I move to reconsider the vote.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, in light of the outcome on this vote, I suggest to the sponsor of the amendment and the managers if agreeable that the next two votes be vitiated and accepted by voice vote. I wonder if that will be agreeable to the participants.

Mr. HOLLINGS. That is agreeable.

Mr. RUDMAN. That is agreeable on this side.

AMENDMENT NO. 2765

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2765) was agreed to.

The PRESIDING OFFICER. The question now occurs on agreeing to amendment No. 2766.

The amendment (No. 2766) was agreed to.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I move to reconsider the votes on the last two amendments.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Pursuant to the previous order, the bill will be engrossed for a third reading and read the third time.

The bill was read a third time.

The PRESIDING OFFICER. Pursuant to the previous order, S. 3026 is returned to the calendar of general orders.

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT**

The PRESIDING OFFICER. The clerk will report the bill, H.R. 5487.

The bill clerk read as follows:

A bill (H.R. 5487) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for fiscal year ending September 30, 1993, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

H.R. 5487

*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 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1993, and for other purposes, namely:

**TITLE I—AGRICULTURAL PROGRAMS**

**PRODUCTION, PROCESSING, AND MARKETING**

**OFFICE OF THE SECRETARY**

**(INCLUDING TRANSFERS OF FUNDS)**

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed \$50,000 for employment under 5 U.S.C. 3109, \$2,282,000: *Provided*, That not to exceed \$8,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That the Secretary may transfer salaries and expenses funds in this Act sufficient to finance a total of not to exceed 35 staff years between agencies of the Department of Agriculture to meet workload requirements.

**OFFICE OF THE DEPUTY SECRETARY**

For necessary expenses of the Office of the Deputy Secretary of Agriculture, including not to exceed \$25,000 for employment under 5 U.S.C. 3109, \$543,000: *Provided*, That not to exceed \$3,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Deputy Secretary.

**OFFICE OF BUDGET AND PROGRAM ANALYSIS**

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$5,000 is for employment under 5 U.S.C. 3109, \$5,756,000.

**OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION**

For necessary expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded in this Act, \$596,000.

**RENTAL PAYMENTS (USDA)**

**(INCLUDING TRANSFERS OF FUNDS)**

For payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Department of Agriculture which are included in this Act, \$50,503,000, of which \$5,000,000 shall be retained by the Department of Agriculture for

non-recurring repairs as determined by the Department of Agriculture: *Provided*, That in the event an agency within the Department of Agriculture should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 10 per centum of the funds made available for space rental and related costs to or from this account.

**BUILDING OPERATIONS AND MAINTENANCE**

For the operation, maintenance, and repair of Agriculture buildings pursuant to the delegation of authority from the Administrator of General Services authorized by 40 U.S.C. 486, \$25,700,000.

**ADVISORY COMMITTEES (USDA)**

For necessary expenses for activities of advisory committees of the Department of Agriculture which are included in this Act, \$952,000: *Provided*, That no other funds appropriated to the Department of Agriculture in this Act shall be available to the Department of Agriculture for support of activities of advisory committees.

**HAZARDOUS WASTE MANAGEMENT**

**(INCLUDING TRANSFERS OF FUNDS)**

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107g of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607g, and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961, \$16,000,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department of Agriculture for hazardous waste management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

**DEPARTMENTAL ADMINISTRATION**

**(INCLUDING TRANSFERS OF FUNDS)**

For Personnel, Finance and Management, Operations, Information Resources Management, Advocacy and Enterprise, and Administrative Law Judges and Judicial Officer, \$25,014,000, for Departmental Administration to provide for necessary expenses for management support services to offices of the Department of Agriculture and for general administration and emergency preparedness of the Department of Agriculture, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department of Agriculture, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 is for employment under 5 U.S.C. 3109: *Provided*, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558.

**OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS**

For necessary expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded in this Act, \$1,307,000.

**OFFICE OF PUBLIC AFFAIRS**

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, and for the dissemination of agricultural information and the

coordination of information, work and programs authorized by Congress in the Department, \$8,925,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed \$10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed \$2,000,000 may be used for farmers' bulletins and not fewer than two hundred thirty-two thousand two hundred and fifty copies for the use of the Senate and House of Representatives of part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture) as authorized by 44 U.S.C. 1301: *Provided*, That in the preparation of motion pictures or exhibits by the Department, this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

**INTERGOVERNMENTAL AFFAIRS**

For necessary expenses for programs involving intergovernmental affairs and liaison within the executive branch, \$468,000.

**OFFICE OF THE INSPECTOR GENERAL**

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, as amended, \$62,786,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(8) of the Inspector General Act of 1978, as amended, and including a sum not to exceed \$50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed \$95,000 for certain confidential operational expenses including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95-452 and section 1337 of Public Law 97-98.

**OFFICE OF THE GENERAL COUNSEL**

For necessary expenses of the Office of the General Counsel, \$24,554,000.

**OFFICE OF THE ASSISTANT SECRETARY FOR ECONOMICS**

For necessary expenses of the Office of the Assistant Secretary for Economics to carry out the programs funded in this Act, \$580,000.

**ECONOMIC RESEARCH SERVICE**

For necessary expenses of the Economic Research Service in conducting economic research and service relating to agricultural production, marketing, and distribution, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, including economics of marketing; analyses relating to farm prices, income and population, and demand for farm products, use of resources in agriculture, adjustments, costs and returns in farming, and farm finance; research relating to the economic and marketing aspects of farmer cooperatives; and for analysis of supply and demand for farm products in foreign countries and their effect on prospects for United States exports, progress in economic development and its relation to sales of farm products, assembly and analysis of agricultural trade statistics and analysis of international financial and monetary programs and policies as they affect the competitive position of United States farm products, \$58,720,000; of which \$500,000 shall be available for investigation, determination, and finding as to the effect upon the production of food and upon the agricultural economy of any proposed action affecting such subject matter pending before the Administrator of the Environmental Protection Agency for presentation, in the

public interest, before said Administrator, other agencies or before the courts: *Provided*, That this appropriation shall be available to continue to gather statistics and conduct a special study on the price spread between the farmer and the consumer: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225): *Provided further*, That this appropriation shall be available for analysis of statistics and related facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

#### NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, and marketing surveys, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, [\$80,941,000] \$81,066,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$40,000 shall be available for employment under 5 U.S.C. 3109.

#### WORLD AGRICULTURAL OUTLOOK BOARD

For necessary expenses of the World Agricultural Outlook Board to coordinate and review all commodity and aggregate agricultural and food data used to develop outlook and situation material within the Department of Agriculture, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), \$2,367,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

#### OFFICE OF THE ASSISTANT SECRETARY FOR SCIENCE AND EDUCATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Science and Education to administer the laws enacted by the Congress for the Agricultural Research Service, Cooperative State Research Service, Extension Service, and National Agricultural Library, \$560,000.

#### ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901-5908), [\$4,500,000] \$10,000,000 is appropriated to the Alternative Agricultural Research and Commercialization Revolving Fund.

#### AGRICULTURAL RESEARCH SERVICE (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for), home economics or nutrition and consumer use, and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100, \$658,379,000: *Provided*, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$15,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That funds appropriated herein can be used to provide financial assistance to the organizers of national and international conferences, if such conferences are in support of agency

programs: *Provided further*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available to conduct marketing research: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed \$250,000, except for greenhouses or greenhouses which shall each be limited to \$1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed \$500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building or \$250,000, whichever is greater: *Provided further*, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That the foregoing limitations shall not apply to the purchase of land or the construction of facilities as may be necessary for the relocation of the United States Horticultural Crops Research Laboratory at Fresno to Parlier, California, and the relocation of the laboratories at Behoust, France and Rome, Italy to Montpellier, France, including the sale or exchange at fair market value of existing land and facilities at Fresno, California and Behoust, France; and the Agricultural Research Service may lease such existing land and facilities from the purchasers until completion of the replacement facilities: *Provided further*, That not to exceed \$190,000 of this appropriation may be transferred to and merged with the appropriation for the Office of the Assistant Secretary for Science and Education for the scientific review of international issues involving agricultural chemicals and food additives: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

Special fund: To provide for additional labor, subprofessional, and junior scientific help to be employed under contracts and cooperative agreements to strengthen the work at Federal research installations in the field, \$2,500,000.

#### BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, [\$34,514,000] \$23,210,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That facilities to house bonsai collections at the National Arboretum may be constructed with funds accepted under the provisions of Public Law 94-129 (20 U.S.C. 195) and the limitation on construction contained in the Act of August 24, 1912 (40 U.S.C. 68) shall not apply to the construction of such facilities: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individuals for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

#### COOPERATIVE STATE RESEARCH SERVICE

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including \$168,785,000 to carry into effect the provisions of the Hatch Act approved March 2, 1987, as amended, including administration by the United States Department of Agriculture, penalty mail costs of agricultural experiment stations under section 6 of the Hatch Act of 1987, as amended, and payments under section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.); \$18,533,000 for grants for cooperative forestry research under the Act approved October 10, 1962 (16 U.S.C. 582a-582a-7), as amended, including administrative expenses, and payments under section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.); \$27,400,000 for payments to the 1890 land-grant colleges, including Tuskegee University, for research under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222), as amended, including administration by the United States Department of Agriculture, and penalty mail costs of the 1890 land-grant colleges, including Tuskegee University; [\$57,688,000] \$61,612,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended (7 U.S.C. 450i); \$97,500,000 for competitive research grants under section 2(b) of the Act of August 4, 1965, as amended (7 U.S.C. 450i(b)), including administrative expenses; \$5,551,000 for the support of animal health and disease programs authorized by section 1433 of Public Law 95-113, including administrative expenses; [\$1,168,000] \$500,000 for supplemental and alternative crops and products as authorized by the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d); \$400,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977, as amended (7 U.S.C. 3318), to remain available until expended; \$475,000 for rangeland research grants as authorized by subtitle M of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended; \$3,500,000 for higher education graduate fellowships grants under section 1417(b)(6) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(6)), including administrative expenses; \$1,500,000 for higher education challenge grants under section 1417(b)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(1)), including administrative expenses; \$4,000,000 for grants as authorized by section 1475 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 and other Acts; \$6,725,000 for sustainable agriculture research and education, as authorized by section 1621 of Public Law 101-624 (7 U.S.C. 5811), including administrative expenses; \$400,000 for State agricultural weather information systems pursuant to section 1640 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3318); and [\$19,170,000] \$20,045,000 for necessary expenses of Cooperative State Research Service activities, including coordination and program leadership for higher education work of the Department, administration of payments to State agricultural experiment stations, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which \$10,250,000 shall be for a program of capacity building grants to colleges eligible to receive funds

under the Act of August 30, 1890 (7 U.S.C. 321-326 and 328), including Tuskegee University, of which not to exceed \$100,000 shall be for employment under 5 U.S.C. 3109; in all, **[\$412,395,000] \$416,926,000.**

#### BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities and for grants to States and other eligible recipients for such purposes, as necessary to carry out the agricultural research, extension, and teaching programs of the Department of Agriculture, where not otherwise provided, **[\$33,611,000] \$52,101,000,** to remain available until expended (7 U.S.C. 2209b).

#### EXTENSION SERVICE

Payments to States, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative agricultural extension work under the Smith-Lever Act, as amended, to be distributed under sections 3(b) and 3(c) of said Act, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, **\$262,712,000;** payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, **\$60,525,000;** [payments for the urban gardening program under section 3(d) of the Act, **\$3,557,000;**] payments for the pest management program under section 3(d) of the Act, **\$8,200,000;** payments for the farm safety and rural health programs under section 3(d) of the Act, **[\$2,470,000] \$2,970,000;** payments for the pesticide impact assessment program under section 3(d) of the Act, **\$3,405,000;** payments to upgrade 1890 land-grant college research and extension facilities as authorized by section 1447 of Public Law 99-198, **\$8,000,000,** to remain available until expended; payments for the rural development centers under section 3(d) of the Act, **\$950,000;** payments for extension work under section 209(c) of Public Law 93-471, **\$1,010,000;** payments for a groundwater quality program under section 3(d) of the Act, **\$11,375,000;** special grants for financially stressed farmers and dislocated farmers as authorized by Public Law 100-219, **\$2,550,000;** payments for the Agricultural Telecommunications Program, as authorized by Public Law [100-624] 101-624 (7 U.S.C. 5926), **\$1,221,000;** payments for youth-at-risk programs under section 3(d) of the Act, **\$10,000,000;** payments for a Nutrition Education Initiative under section 3(d) of the Act, **\$3,530,000;** payments for a food safety program under section 3(d) of the Act, **\$1,500,000;** payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 [under section 3(d) of the Act], **\$2,765,000;** payments for Indian reservation agents under section 3(d) of the Act, **[\$1,500,000] \$2,000,000;** payments to establish and operate centers of rural technology developed as authorized by section 2347 of Public Law 101-624 (7 U.S.C. 1932), **\$2,000,000;** payments for outreach and assistance for socially disadvantaged farmers and ranchers as authorized by section 2501 of Public Law 101-624 (7 U.S.C. 2279), **\$2,000,000;** payments for rural health and safety education as authorized by section 2390 of Public Law 101-624 (7 U.S.C. 2661 note, 2662), **\$2,000,000;** and payments for extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321-326, 328) and Tuskegee University, **\$24,730,000;** in all, **[\$410,000,000] \$413,443,000,** of which not less than **\$79,400,000** is for Home Economics: *Provided,* That funds hereby appropriated pursuant to section 3(c) of the Act of June 26,

1953, and section 506 of the Act of June 23, 1972, as amended, shall not be paid to any State, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

Federal administration and coordination: For administration of the Smith-Lever Act, as amended, and the Act of September 29, 1977 (7 U.S.C. 341-349), as amended, and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301n.), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, **[\$7,928,000] \$9,501,000,** of which not less than **\$2,300,000** is for Home Economics.

#### NATIONAL AGRICULTURAL LIBRARY

For necessary expenses of the National Agricultural Library, **[\$17,253,000] \$17,715,000:** *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed **\$35,000** shall be available for employment under 5 U.S.C. 3109: *Provided further,* That not to exceed **\$900,000** shall be available pursuant to 7 U.S.C. 2250 for the alteration and repair of buildings and improvements: *Provided further,* That **\$462,000** shall be available for a grant pursuant to section 1472 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3818), in addition to other funds available in this appropriation for grants under this section.

#### OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND INSPECTION SERVICES

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Inspection Services to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, Food Safety and Inspection Service, Federal Grain Inspection Service, Agricultural Cooperative Service, Agricultural Marketing Service, and Packers and Stockyards Administration, **\$550,000.**

#### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b-c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b); and to protect the environment, as authorized by law, **[\$430,939,000] \$432,900,000,** of which **\$83,362,000** shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account, and of which **\$5,000,000** shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided,* That **\$500,000** of the funds for control of the fire ant shall be placed in reserve for matching purposes with States which may come into the program: *Provided further,* That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 per centum: *Provided further,* That this appropriation shall be available for field employment pursuant to the second sentence of

section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed **\$40,000** shall be available for employment under 5 U.S.C. 3109: *Provided further,* That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further,* That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, as amended, and section 102 of the Act of September 21, 1944, as amended, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: *Provided further,* That none of these funds shall be used to develop, establish, or operate any user fee program for agricultural quarantine and inspection to prevent the movement of exotic pests and diseases from Hawaii and Puerto Rico as authorized by 31 U.S.C. 9701: *Provided further,* That none of these funds shall be used to pay the salary of any Department veterinarian or Veterinary Medical Officer who, when conducting inspections at horse shows, exhibitions, sales, or auctions under the Horse Protection Act, as amended (15 U.S.C. §§1821-1831), relies solely on the use of digital palpation as the only diagnostic test to determine whether or not a horse is sore under such Act.

#### BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, **\$10,400,000,** to remain available until expended (7 U.S.C. 2209b).

#### FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry on services authorized by the Federal Meat Inspection Act, as amended, and the Poultry Products Inspection Act, as amended, **\$489,867,000:** *Provided,* That this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed **\$75,000** shall be available for employment under 5 U.S.C. 3109: *Provided further,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building: *Provided further,* That none of the funds in this Act may be used to carry out the Streamlined Inspection System (for cattle) after April 1, 1993.

#### FEDERAL GRAIN INSPECTION SERVICE

##### SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, as amended, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, as amended, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed **\$20,000** for employment under 5 U.S.C. 3109, **\$11,397,000:** *Provided,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and im-

provements, but, unless otherwise provided, the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building: *Provided further*, That none of the funds provided by this Act may be used to pay the salaries of any person or persons who require, or who authorize payments from fee-supported funds to any person or persons who require nonexport, nonterminal interior elevators to maintain records not involving official inspection or official weighing in the United States under Public Law 94-582 other than those necessary to fulfill the purposes of such Act.

#### INSPECTION AND WEIGHING SERVICES

##### LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed \$42,784,000 (from fees collected) shall be obligated during the current fiscal year for Inspection and Weighing Services: *Provided*, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 per centum with notification to the Appropriations Committees.

#### AGRICULTURAL COOPERATIVE SERVICE

For necessary expenses to carry out the Cooperative Marketing Act of July 2, 1926 (7 U.S.C. 451-457), and for activities relating to the marketing aspects of cooperatives, including economic research and analysis and the application of economic research findings, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), and for activities with institutions or organizations throughout the world concerning the development and operation of agricultural cooperatives (7 U.S.C. 3291), \$5,640,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$15,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That \$99,000 of these funds shall be available for a field office in Hawaii.

#### AGRICULTURAL MARKETING SERVICE

##### MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$90,000 for employment under 5 U.S.C. 3109, [\$56,520,000] \$45,401,000; of which not less than \$2,313,000 shall be available for the Wholesale Market Development Program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but, unless otherwise provided, the cost of altering any one building during the fiscal year shall not exceed 10 per centum of the current replacement value of the building.

##### LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed [\$52,861,000] \$55,953,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided*, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 per centum with notification to the Appropriations Committees.

#### FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

##### (INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than \$10,309,000 for formulation and administration of Marketing Agreements and Orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

*In fiscal years 1993 and 1994, section 32 funds shall be used to promote sunflower and cottonseed oil exports to the full extent authorized by section 1541 of Public Law 101-624 (7 U.S.C. 1464 note), and such funds shall be used to facilitate additional sales of such oils in world markets.*

##### PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,250,000.

##### PACKERS AND STOCKYARDS ADMINISTRATION

For necessary expenses for administration of the Packers and Stockyards Act, as authorized by law, and for certifying procedures used to protect purchasers of farm products, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$5,000 for employment under 5 U.S.C. 3109, \$11,996,000.

##### FARM INCOME STABILIZATION

#### OFFICE OF THE UNDER SECRETARY FOR INTERNATIONAL AFFAIRS AND COMMODITY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for International Affairs and Commodity Programs to administer the laws enacted by Congress for the Agricultural Stabilization and Conservation Service, Office of International Cooperation and Development, Foreign Agricultural Service, and the Commodity Credit Corporation, \$551,000.

#### AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary administrative expenses of the Agricultural Stabilization and Conservation Service, including expenses to formulate and carry out programs authorized by title III of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301-1393); the Agricultural Act of 1949, as amended (7 U.S.C. 1421 et seq.); sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590g-590o, 590p(a), 590p(f), and 590q); sections 1001 to 1004, 1006 to 1008, and 1010 of the Agricultural Act of 1970, as amended (16 U.S.C. 1501 to 1504, 1506 to 1508, and 1510); the Water Bank Act, as amended (16 U.S.C. 1301-1311); the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101); sections 202(c) and 205 of title II of the Colorado River Basin Salinity Control Act of 1974, as amended (43 U.S.C. 1592(c), 1595); sections 401, 402, and 404 to 406 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 to 2205); the United States Warehouse Act, as amended (7 U.S.C. 241-273); title XII of the Food Security Act of 1985, as amended (16 U.S.C. 3811 et seq.); and laws

pertaining to the Commodity Credit Corporation, [\$715,296,000] \$714,551,000; of which [\$714,134,000] \$712,926,000 is hereby appropriated, and [\$573,000] \$1,036,000 is transferred from the Public Law 480 Program Account in this Act and \$589,000 is transferred from the Commodity Credit Corporation Program Account in this Act: *Provided*, That other funds made available to the Agricultural Stabilization and Conservation Service for authorized activities may be advanced to and merged with this account: *Provided further*, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$100,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That no part of the funds made available under this Act shall be used (1) to influence the vote in any referendum; (2) to influence agricultural legislation, except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations: *Provided further*, That funds contained herein shall be available for establishing and maintaining a National Appeals Division provided for under section 426 of the Agricultural Act of 1949.

#### DAIRY INDEMNITY PROGRAM

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer, or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968, as amended (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, \$5,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of his willful failure to follow procedures prescribed by the Federal Government: *Provided further*, That this amount shall be transferred to the Commodity Credit Corporation: *Provided further*, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

#### CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Con-

trol Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided:

**FEDERAL CROP INSURANCE CORPORATION  
ADMINISTRATIVE AND OPERATING EXPENSES**

For administrative and operating expenses, as authorized by the Federal Crop Insurance Act, as amended (7 U.S.C. 1516), [**\$303,896,000**] **\$326,048,000**: *Provided*, That not to exceed \$700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

**FEDERAL CROP INSURANCE CORPORATION FUND**

For payments as authorized by section 508(b) of the Federal Crop Insurance Act, as amended, \$285,794,000, to remain available until expended (7 U.S.C. 2209b); of which \$58,768,000 is to reimburse the Federal Crop Insurance Corporation Fund for agents' commissions and loss adjustment obligations incurred during prior years, but not previously reimbursed, as authorized by section 516(a) of the Act, as amended.

**COMMODITY CREDIT CORPORATION FUND**

**REIMBURSEMENT FOR NET REALIZED LOSSES**

For fiscal year 1993, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be \$9,200,000,000 in the President's fiscal year 1993 Budget Request (H. Doc. 102-178)), but not to exceed \$9,200,000,000, pursuant to section 2 of the Act of August 17, 1961, as amended (15 U.S.C. 713a-11).

Such funds are appropriated to reimburse the Corporation to restore losses incurred during prior fiscal years. Such losses for fiscal years 1991 and 1992 include \$667,020,000 in connection with carrying out the Export Enhancement Program (EEP), \$114,196,000 in connection with carrying out the Market Promotion Program (MPP), \$150,000,000 in connection with carrying out the Federal Crop Insurance Program, \$314,763,000 in connection with domestic donations, \$165,316,000 in connection with export donations, and \$7,788,705,000 in connection with carrying out the commodity programs.

**OPERATIONS AND MAINTENANCE FOR  
HAZARDOUS WASTE MANAGEMENT**

For fiscal year 1993, CCC shall not expend more than \$3,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961: *Provided*, That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation.

**GENERAL SALES MANAGER  
(INCLUDING TRANSFERS OF FUNDS)**

For necessary expenses of the Office of the General Sales Manager, [**\$8,641,000**] **\$8,866,000**, of which \$4,668,000 may be transferred from Commodity Credit Corporation funds, \$2,731,000 may be transferred from the Commodity Credit Corporation Program Account in this Act, and [**\$1,242,000**] **\$1,467,000** may be transferred from the Public Law 480 Program Account in this Act. Of these funds, up to \$4,000,000 shall be available only for the purpose of selling surplus agricultural commodities from Commodity Credit Corporation inventory in world trade at competitive prices for the purpose of regaining and retaining

our normal share of world markets. The General Sales Manager shall report directly to the Secretary of Agriculture. The General Sales Manager shall obtain, assimilate, and analyze all available information on developments related to private sales, as well as those funded by the Corporation, including grade and quality as sold and as delivered, including information relating to the effectiveness of greater reliance by the General Sales Manager upon loan guarantees as contrasted to direct loans for financing commercial export sales of agricultural commodities out of private stocks on credit terms, as provided in titles I and II of the Agricultural Trade Act of 1978, Public Law 95-501, and shall submit quarterly reports to the appropriate committees of Congress concerning such developments.

**TITLE II—CONSERVATION PROGRAMS**

**OFFICE OF THE ASSISTANT SECRETARY FOR  
NATURAL RESOURCES AND ENVIRONMENT**

For necessary salaries and expenses of the Office of the Assistant Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Soil Conservation Service, \$563,000.

**SOIL CONSERVATION SERVICE**

**CONSERVATION OPERATIONS**

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-590f) including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100; purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$576,539,000, to remain available until expended (7 U.S.C. 2209b); of which not less than \$5,713,000 is for snow survey and water forecasting and not less than \$8,064,000 is for operation and establishment of the plant materials centers: *Provided*, That except for \$2,399,000 for improvements of the plant materials centers, the cost of any permanent building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same to any such building and with the exception of buildings acquired in conjunction with land being purchased for other purposes, shall not exceed \$10,000, except for one building to be constructed at a cost not to exceed \$100,000 and eight buildings to be constructed or improved at a cost not to exceed \$50,000 per building and except that alterations or improvements to other existing permanent buildings costing \$5,000 or more may be made in any fiscal year in an amount not to exceed \$2,000 per building: *Provided further*, That when buildings or other structures are erected on non-Federal land that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a-590f) in demonstration projects: *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not

to exceed \$25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e-2).

**RIVER BASIN SURVEYS AND INVESTIGATIONS**

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, in accordance with section 6 of the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1006-1009), \$13,251,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$60,000 shall be available for employment under 5 U.S.C. 3109.

**WATERSHED PLANNING**

For necessary expenses for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1001-1008), \$9,545,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

**WATERSHED AND FLOOD PREVENTION  
OPERATIONS**

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001-1005, 1007-1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and in accordance with the provisions of laws relating to the activities of the Department, [**\$205,266,000**] **\$238,266,000** (of which [**\$36,091,000**] **\$42,091,000** shall be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a), as amended and supplemented): *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$20,028,000] **\$24,028,000** shall be available for emergency measures as provided by sections 403-405 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203-2205), and not to exceed \$200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further*, That \$4,000,000 in loans may be insured, or made to be sold and insured, under the Agricultural Credit Insurance Fund of the Farmers Home Administration (7 U.S.C. 1931): *Provided further*, That not to exceed \$1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93-205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

**RESOURCE CONSERVATION AND DEVELOPMENT**

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010-1011; 76 Stat. 607), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a-f), and the provisions of the Agriculture and Food Act of 1981 (16

U.S.C. 3451-3461), \$32,516,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That \$600,000 in loans may be insured, or made to be sold and insured, under the Agricultural Credit Insurance Fund of the Farmers Home Administration (7 U.S.C. 1931): *Provided further*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$50,000 shall be available for employment under 5 U.S.C. 3109.

#### GREAT PLAINS CONSERVATION PROGRAM

For necessary expenses to carry into effect a program of conservation in the Great Plains area, pursuant to section 16(b) of the Soil Conservation and Domestic Allotment Act, as added by the Act of August 7, 1956, as amended (16 U.S.C. 590p(b)), \$25,271,000, to remain available until expended (16 U.S.C. 590p(b)(7)).

#### AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

##### AGRICULTURAL CONSERVATION PROGRAM (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act approved February 29, 1936, as amended and supplemented (16 U.S.C. 590g-590o, 590p(a), 590p(f), and 590q), and sections 1001-1004, 1006-1008, and 1010 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (16 U.S.C. 1501-1504, 1506-1508, and 1510), and including not to exceed \$15,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States, [\$194,435,000] \$188,785,000, to remain available until expended (16 U.S.C. 590o), for agreements, excluding administration but including technical assistance and related expenses (16 U.S.C. 590o), except that no participant in the Agricultural Conservation Program shall receive more than \$3,500 per year, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community, or where a participant has a long-term agreement, in which case the total payment shall not exceed the annual payment limitation multiplied by the number of years of the agreement: *Provided*, That no portion of the funds for the current year's program may be utilized to provide financial or technical assistance for drainage on wetlands now designated as Wetlands Types 3 (III) through 20 (XX) in United States Department of the Interior, Fish and Wildlife Circular 39, Wetlands of the United States, 1956: *Provided further*, That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other conservation materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out approved farming practices as authorized by the Soil Conservation and Domestic Allotment Act, as amended, as determined and recommended by the county committees, approved by the State committees and the Secretary, under programs provided for herein: *Provided further*, That such assistance will not be used for carrying out measures and practices that are primarily production-oriented or that have little or no conservation or pollution abatement benefits: *Provided further*, That not to exceed 5 per centum of the allocation for the current year's program for any county may, on the recommendation of such county committee and approval of the State committee,

be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the Agricultural Conservation Program in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 per centum may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further*, That for the current year's program \$2,500,000 shall be available for technical assistance in formulating and carrying out rural environmental practices: *Provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department, shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled "An Act to prevent pernicious political activities" approved August 2, 1939, as amended, or who has been found in accordance with the provisions of title 18 U.S.C. 1913 to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels: *Provided further*, That not to exceed [\$6,750,000] \$15,000,000 of the amount appropriated shall be used for water quality payments and practices in the same manner as permitted under the program for water quality authorized in chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.).

#### FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, \$12,446,000, to remain available until expended, as authorized by that Act.

#### WATER BANK PROGRAM

For necessary expenses to carry into effect the provisions of the Water Bank Act (16 U.S.C. 1301-1311), \$18,620,000, to remain available until expended.

#### EMERGENCY CONSERVATION PROGRAM

For necessary expenses to carry into effect the program authorized in sections 401, 402, and 404 of title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201-2205), \$3,000,000, to remain available until expended, as authorized by 16 U.S.C. 2204.

#### COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

For necessary expenses for carrying out a voluntary cooperative salinity control program pursuant to section 202(c) of title II of the Colorado River Basin Salinity Control Act, as amended (43 U.S.C. 1592(c)), to be used to reduce salinity in the Colorado River and to enhance the supply and quality of water available for use in the United States and the Republic of Mexico, [\$14,783,000] \$12,783,000, to remain available until expended (7 U.S.C. 2209b), to be used for investigations and surveys, for technical assistance in developing conservation practices and in the preparation of salinity control

plans, for the establishment of on-farm irrigation management systems, including related lateral improvement measures, for making cost-share payments to agricultural landowners and operators, Indian tribes, irrigation districts and associations, local governmental and nongovernmental entities, and other landowners to aid them in carrying out approved conservation practices as determined and recommended by the county ASC committees, approved by the State ASC committees and the Secretary, and for associated costs of program planning, information and education, and program monitoring and evaluation: *Provided*, That the Soil Conservation Service shall provide technical assistance and the Agricultural Stabilization and Conservation Service shall provide administrative services for the program, including but not limited to, the negotiation and administration of agreements and the disbursement of payments: *Provided further*, That such program shall be coordinated with the regular Agricultural Conservation Program and with research programs of other agencies.

#### CONSERVATION RESERVE PROGRAM (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the conservation reserve program pursuant to the Food Security Act of 1985 (16 U.S.C. 3831-3845), \$1,578,517,000, to remain available until expended, to be used for Commodity Credit Corporation expenditures for cost-share assistance for the establishment of conservation practices provided for in approved conservation reserve program contracts, for annual rental payments provided in such contracts, and for technical assistance: *Provided*, That none of the funds in this Act may be used to enter into new contracts that are in excess of the prevailing local rental rates for an acre of comparable land.

#### TITLE III—FARMERS HOME AND RURAL DEVELOPMENT PROGRAMS

##### OFFICE OF THE UNDER SECRETARY FOR SMALL COMMUNITY AND RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Small Community and Rural Development to administer programs under the laws enacted by the Congress for the Farmers Home Administration, Rural Development Administration, Rural Electrification Administration, and Federal Crop Insurance Corporation, \$572,000.

##### RURAL DEVELOPMENT ADMINISTRATION (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Rural Development Administration, not otherwise provided for, in administering the rural development programs of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921-2000), as amended, section 1323 of the Food Security Act of 1985 (7 U.S.C. 1932 note), and title VI of the Rural Development Act of 1972, \$37,066,000; of which \$14,787,000 is hereby appropriated, \$21,755,000 shall be derived by transfer from the Rural Development Insurance Fund Program Account in this Act and merged with this account, and \$524,000 shall be derived by transfer from the Rural Development Loan Fund Program Account in this Act and merged with this account: *Provided*, That not to exceed \$500,000 shall be for employment under 5 U.S.C. 3109.

##### FARMERS HOME ADMINISTRATION

##### RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of

1949, as amended, to be available from funds in the Rural Housing Insurance Fund, as follows: **[\$1,624,500,000]** \$1,495,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which **[\$329,500,000]** \$200,000,000 shall be for unsubsidized guaranteed loans; **\$11,330,000** for section 504 housing repair loans; **\$16,300,000** for section 514 farm labor housing; **[\$500,000,000]** \$573,900,000 for section 515 rental housing; **\$600,000** for site loans; and **[\$200,000,000]** \$187,000,000 for credit sales of acquired property. *Provided*, That up to **\$35,000,000** of these funds shall be made available for section 502(g), Deferral Mortgage Demonstration.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: low-income housing section 502 loans, **[\$309,254,000]** \$310,643,000, of which **[\$6,096,000]** \$3,700,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, **[\$4,578,000]** \$4,548,000; section 514 farm labor housing, **\$8,029,000**; section 515 rental housing, **[\$356,550,000]** \$305,602,000; and credit sales of acquired property, **[\$26,780,000]** \$25,039,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, **[\$427,111,000]** \$423,467,000.

#### RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949, as amended, **[\$319,900,000]** \$355,498,000; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1993 to carry out the Rental Assistance Program under section 521(a)(2) of the Act. *Provided*, That of this amount not more than **\$11,800,000** shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed \$10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further*, That of this amount not less than **[\$128,158,000]** \$115,198,000 is available for newly constructed units financed by section 515 of the Housing Act of 1949, as amended, and not more than **\$5,214,000** is for newly constructed units financed under sections 514 and 516 of the Housing Act of 1949: *Provided further*, That **[\$174,728,000]** \$235,997,000 is available for expiring agreements and for servicing of existing units without agreements: *Provided further*, That agreements entered into or renewed during fiscal year 1993 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated: *Provided further*, That agreements entered into or renewed during fiscal years 1989, 1990, 1991, and 1992 may also be extended beyond five years to fully utilize amounts obligated.

#### SELF-HELP HOUSING LAND DEVELOPMENT FUND PROGRAM ACCOUNT

For direct loans pursuant to section 523(b)(1)(B) of the Housing Act of 1949, as amended (42 U.S.C. 1490c), **\$500,000**.

For an amount, for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans, **\$22,000**.

In addition, for administrative expenses necessary to carry out the direct loan program, **\$21,000**.

#### AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

For gross obligations for the principal amount of direct and guaranteed loans as au-

thorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, **\$555,500,000**, of which **\$488,750,000** shall be for guaranteed loans; operating loans, **[\$2,588,354,000]** \$2,538,354,000, of which **\$1,500,000,000** shall be for unsubsidized guaranteed loans and **\$238,354,000** shall be for subsidized guaranteed loans; **[\$3,752,000]** \$3,715,000 for water development, use, and conservation loans, of which **\$1,415,000** shall be for guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, **\$1,000,000**; for emergency insured loans, **\$115,000,000** to meet the needs resulting from natural disasters; and for credit sales of acquired property, **[\$125,000,000]** \$50,000,000: *Provided*, That loan funds made available herein shall be completely allocated to the States and made available for obligation in the first two quarters of fiscal year 1993.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, **\$33,599,000**, of which **\$20,576,000** shall be for guaranteed loans; operating loans, **[\$161,765,000]** \$154,256,000, of which **[\$15,350,000]** \$18,150,000 shall be for unsubsidized guaranteed loans and **[\$18,150,000]** \$15,350,000 shall be for subsidized guaranteed loans; **\$499,000** for water development, use, and conservation loans, of which **\$43,000** shall be for guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, **\$226,000**; for emergency insured loans, **\$30,762,000** to meet the needs resulting from natural disasters; and for credit sales of acquired property, **[\$31,825,000]** \$12,730,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, **\$230,179,000**.

#### STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101-5106), **[\$2,750,000]** \$3,475,000.

#### RURAL DEVELOPMENT INSURANCE FUND PROGRAM ACCOUNT

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928 and 86 Stat. 661-664, as amended, to be available from funds in the Rural Development Insurance Fund, as follows: water and sewer facility loans, **\$635,000,000**, of which **\$35,000,000** shall be for guaranteed loans; community facility loans, **\$200,000,000**, of which **\$100,000,000** shall be for guaranteed loans; and guaranteed industrial development loans, **\$100,000,000**: *Provided*, That none of the funds made available in this Act may be used to make transfers between the above limitations.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: water and sewer facility loans, **\$87,360,000**; community facility loans, **\$8,410,000**; and guaranteed industrial development loans, **\$5,440,000**. In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, **\$58,208,000**.

#### RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

For the cost of direct loans **[\$16,260,000]** \$18,616,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812 (a)): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of not to exceed **[\$28,387,000]** \$32,500,000.

In addition, for administrative expenses necessary to carry out the direct loan programs, **\$529,000**.

#### ALCOHOL FUELS CREDIT GUARANTEE PROGRAM ACCOUNT

For the cost of guaranteed lines of credit available pursuant to an emergency declaration as provided at section 321 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961), **\$13,500,000**, to remain available until expended, but not beyond fiscal year 2009: *Provided*, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to establish a guaranteed line of credit program level of **\$45,000,000**, to remain available until expended, but not beyond fiscal year 2009, which the Department shall make available for the purpose of purchasing grains for the production of alcohol fuels at established cooperative facilities as necessary to meet deliveries under contract: *Provided further*, That a guarantee fee of one percent shall be paid at the time a guarantee is issued.

In addition, for administrative expenses necessary to carry out the credit guarantee program, **\$150,000**.

#### RURAL WATER AND WASTE DISPOSAL GRANTS

For grants pursuant to sections 306(a)(2) and 306(a)(6) of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1926), **[\$400,000,000]** \$381,000,000, to remain available until expended, pursuant to section 306(d) of the above Act: *Provided*, [That of this amount, **\$25,000,000** shall be available for water systems to benefit the Colonias along the U.S./Mexico border, including grants pursuant to section 306(c)(1): *Provided further*,] That these funds shall not be used for any purpose not specified in section 306(a) of the Consolidated Farm and Rural Development Act.

#### VERY LOW-INCOME HOUSING REPAIR GRANTS

For grants to the very low-income elderly for essential repairs to dwellings pursuant to section 504 of the Housing Act of 1949, as amended, **\$12,500,000**, to remain available until expended.

#### RURAL HOUSING FOR DOMESTIC FARM LABOR

For financial assistance to eligible nonprofit organizations for housing for domestic farm labor, pursuant to section 516 of the Housing Act of 1949, as amended (42 U.S.C. 1486), **\$11,000,000**, to remain available until expended.

#### MUTUAL AND SELF-HELP HOUSING

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), **[\$8,750,000]** \$12,750,000, to remain available until expended (7 U.S.C. 2209b).

#### [SUPERVISORY AND TECHNICAL ASSISTANCE GRANTS]

[For grants pursuant to sections 509(g)(6) and 525 of the Housing Act of 1949, **\$2,500,000**, to remain available until expended.]

#### RURAL COMMUNITY FIRE PROTECTION GRANTS

For grants pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (Public Law 95-313), **\$3,500,000** to fund up to 50 per centum of the cost of organizing, training, and equipping rural volunteer fire departments.

#### COMPENSATION FOR CONSTRUCTION DEFECTS

For compensation for construction defects as authorized by section 509(c) of the Housing Act of 1949, as amended, **\$500,000**, to remain available until expended.

#### RURAL HOUSING PRESERVATION GRANTS

For grants for rural housing preservation as authorized by section 552 of the Housing

and Urban-Rural Recovery Act of 1983 (Public Law 98-181), \$23,000,000.

#### RURAL DEVELOPMENT GRANTS

For grants authorized under section 310B(c) and 310B(j) (7 U.S.C. 1932) of the Consolidated Farm and Rural Development Act to any qualified public or private nonprofit organization, \$20,750,000: *Provided*, That \$500,000 shall be available for grants to qualified nonprofit organizations to provide technical assistance and training for rural communities needing improved passenger transportation systems or facilities in order to promote economic development: *Provided further*, That \$2,000,000 shall be available for grants to statewide private, nonprofit public television systems in predominantly rural States to provide information and services on rural economics and agriculture: *Provided further*, That grants made to or to be made to these television systems during fiscal years 1990 through 1992 under the Consolidated Farm and Rural Development Act shall for all purposes be deemed to have been made pursuant to Section 310B(j) of such Act.

#### SOLID WASTE MANAGEMENT GRANTS

For grants for pollution abatement and control projects authorized under section 310B(b) (7 U.S.C. 1932) of the Consolidated Farm and Rural Development Act, \$3,000,000: *Provided*, That such assistance shall include regional technical assistance for improvement of solid waste management.

#### EMERGENCY COMMUNITY WATER ASSISTANCE GRANTS

For emergency community water assistance grants as authorized under section 306B (7 U.S.C. 1926b) of the Consolidated Farm and Rural Development Act, \$10,000,000.

#### OFFICE OF THE ADMINISTRATOR

For necessary salaries and expenses of the Office of the Administrator of the Farmers Home Administration, \$600,000: *Provided*, That no other funds in this Act shall be available for this Office.

#### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farmers Home Administration, not otherwise provided for, in administering the programs authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921-2000), as amended; title V of the Housing Act of 1949, as amended (42 U.S.C. 1471-1490); the Rural Rehabilitation Corporation Trust Liquidation Act, approved May 3, 1950 (40 U.S.C. 440-444), for administering the loan program authorized by title III-A of the Economic Opportunity Act of 1964 (Public Law 88-452 approved August 20, 1964), as amended, and such other programs which the Farmers Home Administration has the responsibility for administering, [\$679,920,000] \$676,426,000; of which \$23,802,000 is hereby appropriated, [\$404,846,000] \$401,202,000 shall be derived by transfer from the Rural Housing Insurance Fund Program Account in this Act and merged with this account, \$215,712,000 shall be derived by transfer from the Agriculture Credit Insurance Fund Program Account in this Act and merged with this account, \$35,539,000 shall be derived by transfer from the Rural Development Insurance Fund Program Account in this Act and merged with this account, \$150,000 shall be derived by transfer from the Alcohol Fuels Credit Guarantee Program Account in this Act and merged with this account, and \$21,000 shall be derived by transfer from the Self-Help Housing Land Development Fund Program Account in this Act and merged with this account: *Provided*, That not to exceed \$500,000 of this appropria-

tion may be used for employment under 5 U.S.C. 3109: *Provided further*, That not to exceed [\$3,985,000] \$4,500,000 of this appropriation shall be available for contracting with the National Rural Water Association or other equally qualified national organization for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That, in addition to any other authority that the Secretary may have to defer principal and interest and forego foreclosure, the Secretary may permit, at the request of the borrowers, the deferral of principal and interest on any outstanding loan made, insured, or held by the Secretary under this title, or under the provisions of any other law administered by the Farmers Home Administration, and may forego foreclosure of any such loan, for such period as the Secretary deems necessary upon a showing by the borrower that due to circumstances beyond the borrower's control, the borrower is temporarily unable to continue making payments of such principal and interest when due without unduly impairing the standard of living of the borrower: *Provided further*, That none of the funds appropriated by this Act may be used to relocate the Hawaii State Office of the Farmers Home Administration from Hilo, Hawaii, to Honolulu, Hawaii: *Provided further*, That funds appropriated to the Farmers Home Administration shall be used to establish and maintain a Farmers Home Administration State office in Nevada. The Secretary may permit interest that accrues during the deferral period on any loan deferred under this section to bear no interest during or after such period: *Provided*, That, if the security instrument securing such loan is foreclosed, such interest as is included in the purchase price at such foreclosure shall become part of the principal and draw interest from the date of foreclosure at the rate prescribed by law.

#### RURAL ELECTRIFICATION ADMINISTRATION

To carry into effect the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-950(b)), as follows:

##### RURAL ELECTRIFICATION AND TELEPHONE LOANS PROGRAM ACCOUNT

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), shall be made as follows: rural electrification loans, not less than \$625,035,000 nor more than \$933,075,000; and rural telephone loans, not less than [\$219,325,000] \$239,250,000 nor more than \$311,025,000; to remain available until expended: *Provided*, That loans made pursuant to section 306 of that Act are in addition to these amounts but during fiscal year 1993 total commitments to guarantee loans pursuant to section 306 shall be not less than \$933,075,000 nor more than \$2,100,615,000 of contingent liability for total loan principal: *Provided further*, That loans may be modified in an amount not to exceed \$266,000,000: *Provided further*, That as a condition of approval of insured electric loans during fiscal year 1993, borrowers shall obtain concurrent supplemental financing in accordance with the applicable criteria and ratios in effect as of July 15, 1982: *Provided further*, That no funds appropriated in this Act may be used to deny or reduce loans or loan advances based upon a borrower's level of general funds: *Provided further*, That no funds appropriated in this Act may be used to implement any other criteria, ratio, or test to deny or reduce loans or loan advances: *Provided further*, That, hereafter, no funds in this Act or any other Act shall, in the case of a borrower that, prior to June 1, 1992, made an in-

vestment in a subsidiary involving coal gasification, be available to count the retained earnings of its coal and gas subsidiaries against the limitation of Section 312 of the Rural Electrification Act of 1936 (7 U.S.C. 940b), or to require the borrower to raise its electric rates to offset any loss of such subsidiaries if the retained earnings of such subsidiaries exceed the amount of any loss and the Administrator has not determined that without such rate increase, the borrower will be unable to repay loans made or guaranteed under this Act.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), as follows: cost of direct loans, [\$157,609,000] \$161,269,000; and cost of loans guaranteed pursuant to section 306, [\$35,475,000] and for loan modifications, \$47,880,000] \$35,388,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, [\$29,163,000] \$30,330,000.

##### RURAL TELEPHONE BANK PROGRAM ACCOUNT

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out its authorized programs for the current fiscal year. During fiscal year 1993 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be not less than \$177,045,000 nor more than \$210,540,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), \$35,000.

In addition, for administrative expenses necessary to carry out the loan programs, [\$8,632,000] \$8,977,000.

##### DISTANCE LEARNING AND MEDICAL LINK PROGRAMS

For necessary expenses to carry into effect the programs authorized in sections 2331-2335 of Public Law 101-624, \$5,000,000, to remain available until expended.

##### RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

For loans authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, [\$9,215,000] \$15,563,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans, [\$2,546,000] \$4,300,000.

##### OFFICE OF THE ADMINISTRATOR

For necessary salaries and expenses of the Office of the Administrator of the Rural Electrification Administration, \$243,000: *Provided*, That no other funds in this Act shall be available for this Office.

#### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the provisions of the Rural Electrification Act of 1936, as amended (7 U.S.C. 901-950(b)), and to administer the loan and loan guarantee programs for Community Antenna Television facilities as authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921-1995), and for which commitments were made prior to fiscal year 1993, in-

cluding not to exceed \$7,000 for financial and credit reports, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$103,000 for employment under 5 U.S.C. 3109, [\$37,795,000] \$39,307,000; of which [\$29,163,000] \$30,330,000 shall be derived by transfer from the Rural Electrification and Telephone Loans Program Account in this Act and [\$8,632,000] \$8,977,000 shall be derived by transfer from the Rural Telephone Bank Program Account in this Act: *Provided*, That none of the funds in this Act may be used to authorize the transfer of additional funds to this account from the Rural Telephone Bank: *Provided further*, That none of the salaries and expenses provided to the Rural Electrification Administration, and none of the responsibilities assigned by law to the Administrator of the Rural Electrification Administration may be reassigned or transferred to any other agency or office.

#### TITLE IV—DOMESTIC FOOD PROGRAMS

##### OFFICE OF THE ASSISTANT SECRETARY FOR FOOD AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Assistant Secretary for Food and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service and the Human Nutrition Information Service, \$542,000.

##### FOOD AND NUTRITION SERVICE CHILD NUTRITION PROGRAMS

###### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751-1769b), and the applicable provisions other than sections 3 and 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1773-1785, and 1788-1789), [\$6,674,521,000] \$6,767,484,000, to remain available through September 30, 1994; of which [\$2,384,066,000] \$2,477,029,000 is hereby appropriated and \$4,290,455,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided*, That funds appropriated for the purpose of section 7 of the Child Nutrition Act of 1966 shall be allocated among the States but the distribution of such funds to an individual State is contingent upon that State's agreement to participate in studies and surveys of programs authorized under the National School Lunch Act and the Child Nutrition Act of 1966, when such studies and surveys have been directed by the Congress and requested by the Secretary of Agriculture: *Provided further*, That if the Secretary of Agriculture determines that a State's administration of any program under the National School Lunch Act or the Child Nutrition Act of 1966 (other than section 17), or the regulations issued pursuant to these Acts, is seriously deficient, and the State fails to correct the deficiency within a specified period of time, the Secretary may withhold from the State some or all of the funds allocated to the State under section 7 of the Child Nutrition Act of 1966 and under section 13(k)(1) of the National School Lunch Act; upon a subsequent determination by the Secretary that the programs are operated in an acceptable manner some or all of the funds withheld may be allocated: *Provided further*, That only final reimbursement claims for service of meals, supplements, and milk submitted to State agencies by eligible schools, summer camps, institutions, and service institutions within sixty days following the month for which the reimbursement is claimed shall be eligible for reimbursement from funds appropriated under this Act. States may receive program funds appropriated under this Act for meals, supple-

ments, and milk served during any month only if the final program operations report for such month is submitted to the Department within ninety days following that month. Exceptions to these claims or reports submission requirements may be made at the discretion of the Secretary: *Provided further*, That up to [\$4,083,000] \$3,780,000 shall be available for independent verification of school food service claims: *Provided further*, That [\$1,322,000 shall be available] \$2,000,000 shall be available to provide financial and other assistance to operate the Food Service Management Institute.

##### SPECIAL MILK PROGRAM

For necessary expenses to carry out the special milk program, as authorized by section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772), \$14,898,000, to remain available through September 30, 1994. Only final reimbursement claims for milk submitted to State agencies within sixty days following the month for which the reimbursement is claimed shall be eligible for reimbursement from funds appropriated under this Act. States may receive program funds appropriated under this Act only if the final program operations report for such month is submitted to the Department within ninety days following that month. Exceptions to these claims or reports submission requirements may be made at the discretion of the Secretary.

##### SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental food program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$2,860,000,000, to remain available through September 30, 1994, of which up to \$3,000,000 may be used to carry out the farmer's market coupon demonstration project: *Provided*, That of these funds, up to \$5,200,000 may be available to carry out the special supplemental food program, consistent with section 112 of the Department of Justice Appropriations Act, 1993, to promote neighborhood revitalization.

##### COMMODITY SUPPLEMENTAL FOOD PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), including not less than \$8,000,000 for the projects in Detroit, New Orleans, and Des Moines, \$94,500,000, to remain available through September 30, 1994: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

##### FOOD STAMP PROGRAM

###### (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011-2029), [\$26,719,691,000] \$29,051,000,000; of which \$2,500,000,000 shall be available only to the extent an official budget request, for a specific dollar amount, is transmitted to the Congress: *Provided*, That funds provided herein shall remain available through September 30, 1993, in accordance with section 18(a) of the Food Stamp Act: *Provided further*, That up to 5 per centum of the foregoing amount may be placed in reserve to be apportioned pursuant to section 3679 of the Revised Statutes, as amended, for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided further*, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further*,

That this appropriation shall be subject to any work registration or work fare requirements as may be required by law: *Provided further*, That \$345,000,000 of the funds provided herein shall be available after the Secretary has employed the regulatory and administrative methods available to him under the law to curtail fraud, waste, and abuse in the program: *Provided further*, That \$1,051,000,000 of the foregoing amount shall be available for Nutrition Assistance for Puerto Rico as authorized by 7 U.S.C. 2028, of which \$10,825,000 shall be transferred to the Animal and Plant Health Inspection Service for the Cattle Tick Eradication Project.

##### FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), section 4(b) of the Food Stamp Act (7 U.S.C. 2013(b)), and section 311 of the Older Americans Act of 1965, as amended (42 U.S.C. 3030a), \$224,513,000 to remain available through September 30, 1994.

For necessary expenses to carry out section 110 of the Hunger Prevention Act of 1988, \$32,000,000.

##### THE EMERGENCY FOOD ASSISTANCE PROGRAM

For necessary expenses to carry out the Emergency Food Assistance Act of 1983, as amended, \$45,000,000: *Provided*, That, in accordance with section 202 of Public Law 98-92, these funds shall be available only if the Secretary determines the existence of excess commodities.

For purchases of commodities to carry out the Emergency Food Assistance Act of 1983, as amended, \$120,000,000.

##### FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, \$103,535,000; of which \$5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$150,000 shall be available for employment under 5 U.S.C. 3109.

##### HUMAN NUTRITION INFORMATION SERVICE

For necessary expenses to enable the Human Nutrition Information Service to perform applied research and demonstrations relating to human nutrition and consumer use and economics of food utilization, and nutrition monitoring, \$10,788,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

#### TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

##### FOREIGN AGRICULTURAL SERVICE

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954, as amended (7 U.S.C. 1761-1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed \$125,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$110,023,000: *Provided*, That this appropriation shall be available to obtain statistics and re-

lated facts on foreign production and full and complete information on methods used by other countries to move farm commodities in world trade on a competitive basis.

**PUBLIC LAW 480 PROGRAM ACCOUNT**  
(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691, 1701-1715, 1721-1726, 1727-1727f, 1731-1736g), as follows: (1) **[\$511,619,000] \$538,295,000** for Public Law 480 title I credit, including Food for Progress credit; (2) **[\$52,185,000] \$43,064,000** is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985, as amended; (3) **[\$763,842,000] \$810,000,000** is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act; and (4) **[\$333,594,000] \$344,269,000** is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: *Provided*, That not to exceed 10 per centum of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: *Provided further*, That such sums shall remain available until expended (7 U.S.C. 2209b).

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, as amended, and the Food for Progress Act of 1985, as amended, including the cost of modifying credit agreements under said Act, **[\$317,800,000] \$360,981,000**.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 480 are utilized, **[\$1,815,000] \$2,503,000**.

**DEBT RESTRUCTURING UNDER THE ENTERPRISE FOR THE AMERICAS**

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct credit agreements as authorized by title VI of the Agricultural Trade Development and Assistance Act of 1954, as amended, **[\$69,531,000] \$13,183,000**.

**SHORT-TERM EXPORT CREDIT**

The Commodity Credit Corporation shall make available not less than \$5,000,000,000 in credit guarantees under its export credit guarantee program for short-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 211(b)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

**INTERMEDIATE EXPORT CREDIT**

The Commodity Credit Corporation shall make available not less than \$500,000,000 in credit guarantees under its export guarantee program for intermediate-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 211(b)(2) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

**EMERGING DEMOCRACIES EXPORT CREDIT**

The Commodity Credit Corporation shall make available not less than \$200,000,000 in credit guarantees under its export guarantee program for credit expended to finance the export sales of United States agricultural commodities and the products thereof to

emerging democracies, as authorized by section 1542 of Public Law 101-624 (7 U.S.C. 5622 note).

**COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT**

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out CCC's Export Guarantee Program, GSM 102 and GSM 103, \$3,320,000; of which not to exceed \$2,731,000 may be transferred to and merged with the appropriation for the salaries and expenses of the General Sales Manager, and of which not to exceed \$589,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Agricultural Stabilization and Conservation Service, to cover the common overhead expenses associated with implementing the Federal Credit Reform Act of 1990.

**OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT**

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of International Cooperation and Development to coordinate, plan, and direct activities involving international development, technical assistance and training, and international scientific and technical cooperation in the Department of Agriculture, including those authorized by the Food and Agriculture Act of 1977 (7 U.S.C. 3291), \$7,247,000: *Provided*, That not to exceed \$3,000 of this amount shall be available for official reception and representation expenses as authorized by 7 U.S.C. 1766: *Provided further*, That in addition, funds available to the Department of Agriculture shall be available to assist an international organization in meeting the costs, including salaries, fringe benefits and other associated costs, related to the employment by the organization of Federal personnel that may transfer to the organization under the provisions of 5 U.S.C. 3581-3584, or of other well-qualified United States citizens, for the performance of activities that contribute to increased understanding of international agricultural issues, with transfer of funds for this purpose from one appropriation to another or to a single account authorized, such funds remaining available until expended: *Provided further*, That the Office may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392).

**SCIENTIFIC ACTIVITIES OVERSEAS (FOREIGN CURRENCY PROGRAM)**

**LIMITATION ON EXPENSES**

For payments in foreign currencies owed to or owned by the United States for research activities authorized by section 104(c)(7) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(c)(7)), not to exceed \$1,062,000: *Provided*, That not to exceed \$25,000 of these funds shall be available for payments in foreign currencies for expenses of employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), as amended by 5 U.S.C. 3109.

**TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**FOOD AND DRUG ADMINISTRATION**  
**SALARIES AND EXPENSES**

For necessary expenses of the Food and Drug Administration, including hire of passenger motor vehicles; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; \$744,135,000: *Provided*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701.

**BUILDINGS AND FACILITIES**

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, \$8,350,000, to remain available until expended (7 U.S.C. 2209b): *Provided*, That the Food and Drug Administration may accept donated land in Montgomery and/or Prince Georges Counties, Maryland.

**RENTAL PAYMENTS (FDA)**

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act, \$25,612,000: *Provided*, That in the event the Food and Drug Administration should require modification of space needs, a share of the salaries and expenses appropriation may be transferred to this appropriation, or a share of this appropriation may be transferred to the salaries and expenses appropriation, but such transfers shall not exceed 10 per centum of the funds made available for rental payments (FDA) to or from this account.

**DEPARTMENT OF THE TREASURY**

**FINANCIAL MANAGEMENT SERVICE**  
**PAYMENTS TO THE FARM CREDIT SYSTEM**  
**FINANCIAL ASSISTANCE CORPORATION**

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by Section 6.28(c) of the Farm Credit Act of 1971, as amended, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1993, as authorized, \$84,614,000: *Provided*, That not to exceed \$809,000 of the assistance fund shall be available for administrative expenses of the Farm Credit System Assistance Board: *Provided further*, That officers and employees of the Farm Credit System Assistance Board shall be hired, promoted, compensated, and discharged in accordance with title 5, United States Code.

**INDEPENDENT AGENCIES**

**COMMODITY FUTURES TRADING COMMISSION**

For necessary expenses to carry out the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed \$25,000 for employment under 5 U.S.C. 3109; \$47,300,000, including not to exceed \$700 for official reception and representation expenses.

## FARM CREDIT ADMINISTRATION

## LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed [\$38,686,000] \$39,908,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249, including not to exceed the following amounts: official reception and representation expenses, \$1,500; Office of Secondary Market Oversight, \$300,000; Office of the General Counsel, [\$1,853,000] \$2,000,000, and Office of Congressional and Public Affairs, \$500,000.

## TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1993 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 659 passenger motor vehicles, of which 654 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902).

SEC. 703. Not less than \$1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946 and July 28, 1954, and (7 U.S.C. 427, 1621-1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.

SEC. 704. No part of the funds contained in this Act may be used to make production or other payments to a person, persons, or corporations upon a final finding by court of competent jurisdiction that such party is guilty of growing, cultivating, harvesting, processing or storing marijuana, or other such prohibited drug-producing plants on any part of lands owned or controlled by such persons or corporations.

SEC. 705. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed \$2,000,000: *Provided*, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 706. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, Integrated Systems Acquisition Project, and the reserve fund for the Grasshopper and Mormon Cricket Control Programs; Agricultural Stabilization and Conservation Service, salaries and expenses funds made available to county committees; Office of International Cooperation and Development, Middle-Income Country Training Program; higher education graduate fellowships grants under section 1417(b)(6) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977, as amended (7 U.S.C. 3152(b)(6)); and capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890, including Tuskegee University.

New obligational authority for the Boll Weevil Program and up to 10 per centum of the Screwworm Program of the Animal and Plant Health Inspection Service shall remain available until expended.

SEC. 707. 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. 708. Not to exceed \$50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94-449.

SEC. 709. Funds provided by this Act for personnel compensation and benefits shall be available for obligation for that purpose only.

SEC. 710. No part of any appropriation contained in this Act shall be expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), pursuant to any obligation for services by contract, unless such executive agency has awarded and entered into such contract as provided by law.

SEC. 711. None of the funds appropriated or otherwise made available by this Act shall be available 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. 712. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 per centum of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 713. None of the funds in this Act shall be used to carry out any activity related to phasing out the Resource Conservation and Development Program.

SEC. 714. None of the funds in this Act shall be used to prevent or interfere with the right and obligation of the Commodity Credit Corporation to sell surplus agricultural commodities in world trade at competitive prices as authorized by law.

SEC. 715. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 716. None of the funds in this Act shall be available to reimburse the General Services Administration for payment of space rental and related costs in excess of the amounts specified in this Act; nor shall this or any other provision of law require a reduction in the level of rental space or services below that of fiscal year 1992 or prohibit an expansion of rental space or services with the use of funds otherwise appropriated in this Act. Further, no agency of the Department of Agriculture, from funds otherwise available, shall reimburse the General Services Administration for payment of space rental and related costs provided to such agency at a percentage rate which is greater than is available in the case of funds appropriated in this Act.

SEC. 717. In fiscal year 1993, the Secretary of Agriculture shall initiate construction on not less than twenty new projects under the

Watershed Protection and Flood Prevention Act (Public Law 566) and not less than five new projects under the Flood Control Act (Public Law 534).

SEC. 718. None of the funds provided in this Act may be used to reduce programs by establishing an end-of-year employment ceiling on full-time equivalent staff years below the level set herein for the following agencies: Food and Drug Administration, 8,924; Farmers Home Administration, 12,225; Agricultural Stabilization and Conservation Service, 2,550; Rural Electrification Administration, 550; and Soil Conservation Service, 14,177.

SEC. 719. Funds appropriated by this Act shall be applied only to the objects for which appropriations were made except as otherwise provided by law, as required by 31 U.S.C. 1301.

SEC. 720. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 721. None of the funds provided in this Act may be expended to release information acquired from any handler under the Agricultural Marketing Agreement Act of 1937, as amended: *Provided*, That this provision shall not prohibit the release of information to other Federal agencies for enforcement purposes: *Provided further*, That this provision shall not prohibit the release of aggregate statistical data used in formulating regulations pursuant to the Agricultural Marketing Agreement Act of 1937, as amended: *Provided further*, That this provision shall not prohibit the release of information submitted by milk handlers.

SEC. 722. Unless otherwise provided in this Act, none of the funds appropriated or otherwise made available in this Act may be used by the Farmers Home Administration to employ or otherwise contract with private debt collection agencies to collect delinquent payments from Farmers Home Administration borrowers.

SEC. 723. None of the funds in this Act, or otherwise made available by this Act, shall be used to sell loans made by the Agricultural Credit Insurance Fund. Further, Rural Development Insurance Fund loans offered for sale in fiscal year 1993 shall be first offered to the borrowers for prepayment.

SEC. 724. None of the funds in this Act may be used to establish any new office, organization, or center for which funds have not been provided in advance in Appropriations Acts, except the Department may carry out planning activities.

SEC. 725. None of the funds in this Act, or otherwise made available by this Act, shall be used to regulate the order or sequence of advances of funds to a borrower under any combination of approved telephone loans from the Rural Electrification Administration, the Rural Telephone Bank or the Federal Financing Bank.

SEC. 726. None of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research Service that exceed 14 per centum of total Federal funds provided under each award.

SEC. 727. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out a Market Promotion Program pursuant to section 203 (7 U.S.C. 5623) of the Agricultural Trade Act of 1978 with respect to tobacco subsidies or if the aggregate amount

of funds and/or commodities under such program exceeds \$75,000,000 \$174,500,000.

SEC. 728. None of the funds appropriated or otherwise made available by this Act shall be used to enroll additional acres in the Wetlands Reserve Program, as authorized by 16 U.S.C. 3837, beyond those acres enrolled as a result of the sign-ups conducted in 1992.

SEC. 729. None of the funds appropriated or otherwise made available by this Act shall be used to enroll additional acres in the Conservation Reserve Program, as authorized by 16 U.S.C. 3831-3845, beyond those acres enrolled as a result of the sign-ups conducted in 1992.

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out the Agricultural Resource Conservation Demonstration Program pursuant to section 1465 of Public Law 101-624, as amended by section 203 of Public Law 102-237.]

SEC. 731.] 730. Such sums as may be necessary for fiscal year 1993 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 732. The amounts otherwise provided in this Act for the following accounts and activities are hereby reduced by the following amounts:

#### AGRICULTURAL PROGRAMS

##### PRODUCTION, PROCESSING, AND MARKETING

###### OFFICE OF THE SECRETARY

Expenses, \$52,060.

###### OFFICE OF THE DEPUTY SECRETARY

Expenses, \$11,570.

##### OFFICE OF BUDGET AND PROGRAM ANALYSIS

Expenses, \$67,352.

##### OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

Expenses, \$8,470.

###### ADVISORY COMMITTEES (USDA)

Expenses, \$19,040.

###### HAZARDOUS WASTE MANAGEMENT

Expenses, \$320,000.

###### DEPARTMENTAL ADMINISTRATION

Expenses, \$342,030.

##### OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

Expenses, \$22,420.

###### OFFICE OF PUBLIC AFFAIRS

Expenses, \$208,050.

###### OFFICE OF THE INSPECTOR GENERAL

Expenses, \$1,101,800.

###### OFFICE OF THE GENERAL COUNSEL

Expenses, \$194,302.

##### OFFICE OF THE ASSISTANT SECRETARY FOR ECONOMICS

Expenses, \$14,770.

###### ECONOMIC RESEARCH SERVICE

Expenses, \$1,174,400.

###### NATIONAL AGRICULTURAL STATISTICS SERVICE

Expenses, \$1,618,820.

###### WORLD AGRICULTURAL OUTLOOK BOARD

Expenses, \$40,265.

##### OFFICE OF THE ASSISTANT SECRETARY FOR SCIENCE AND EDUCATION

Salaries and expenses, \$11,670.

##### ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

Expenses, \$7,644.

###### AGRICULTURAL RESEARCH SERVICE

Expenses, \$3,167,580.

##### COOPERATIVE STATE RESEARCH SERVICE

Payments, \$826,710.

###### EXTENSION SERVICE

Payments, \$419,190.

##### NATIONAL AGRICULTURAL LIBRARY

Expenses, \$345,060.

##### OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND INSPECTION SERVICES

Salaries and expenses, \$10,950.

##### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Salaries and expenses, \$8,618,780.

###### FEDERAL GRAIN INSPECTION SERVICE

Salaries and expenses, \$339,750.

###### AGRICULTURAL COOPERATIVE SERVICE

Expenses, \$160,420.

###### AGRICULTURAL MARKETING SERVICE

###### MARKETING SERVICES

Expenses, \$1,130,400.

##### PACKERS AND STOCKYARDS ADMINISTRATION

Expenses, \$237,500.

#### CONSERVATION PROGRAMS

##### OFFICE OF THE ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

Salaries and expenses, \$15,080.

###### SOIL CONSERVATION SERVICE

###### CONSERVATION OPERATIONS

Expenses, \$9,438,765.

##### RIVER BASIN SURVEYS AND INVESTIGATIONS

Expenses, \$286,023.

###### WATERSHED PLANNING

Expenses, \$143,011.

###### WATERSHED AND FLOOD PREVENTION OPERATIONS

Expenses, \$3,432,218.

##### RESOURCE CONSERVATION AND DEVELOPMENT

Expenses, \$572,046.

###### GREAT PLAINS CONSERVATION PROGRAM

Expenses, \$429,034.

###### AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

###### AGRICULTURAL CONSERVATION PROGRAM

Expenses, \$3,888,700.

###### FARMERS HOME AND RURAL DEVELOPMENT PROGRAMS

##### OFFICE OF THE UNDER SECRETARY FOR SMALL COMMUNITY AND RURAL DEVELOPMENT

Salaries and expenses, \$7,130.

###### FARMERS HOME ADMINISTRATION

##### RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

Administrative expenses, \$6,410,632.

##### RURAL ELECTRIFICATION ADMINISTRATION

Salaries and expenses, \$755,900.

###### DOMESTIC FOOD PROGRAMS

##### OFFICE OF THE ASSISTANT SECRETARY FOR FOOD AND CONSUMER SERVICES

Salaries and expenses, \$12,290.

##### FOREIGN ASSISTANCE AND RELATED PROGRAMS

###### FOREIGN AGRICULTURAL SERVICE

Expenses, \$2,200,460.

##### OFFICE OF INTERNATIONAL COOPERATION AND DEVELOPMENT

Expenses, \$295,435.

###### RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

###### INDEPENDENT AGENCIES

##### COMMODITY FUTURES TRADING COMMISSION

Expenses, \$946,000.

##### FARM CREDIT ADMINISTRATION

Administrative expenses, \$773,720.

SEC. 731. From funds appropriated under this Act, not to exceed \$4,000,000 may be used to implement international science, education, and development programs pursuant to section 1458 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977: Provided, That the use of these funds shall be subject to prior approval of the House and Senate Committees on Appropriations.

This Act may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1993".

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I want to say to my colleagues that I have been acting chairman of this Agriculture Appropriations Subcommittee, filling in for Senator BURDICK, for about a week today. This bill is essentially the craftsmanship and the work of Senator BURDICK.

I am very pleased to report to my colleagues that our revered colleague, Senator BURDICK, left the hospital last Friday, is feeling much better, and hopefully will be back soon. I would like to have postponed this bill until he could be back to manage, but he has specifically requested that we proceed with it.

Overall, the agriculture bill appropriates \$61.4 billion for all agencies of USDA with the exception of the Forest Service, the Food and Drug Administration, the Commodity Futures Trading Commission, and several farm credit system agencies. There are two main points that need to be stressed with regard to funding contained in the bill.

First, of the total spending in this bill—\$61.43 billion—\$47.7 billion, or 77.5 percent is for mandatory programs. The Appropriations Committee has no control of this funding. Rather, the law determines the benefits that are provided, and we are forced to provide funds to accommodate the law.

Second, almost two-thirds of the bill—64 percent—or \$39.3 billion is for domestic food programs that go predominantly to urban areas. Included in that total is \$29.1 billion for food stamps, 1.9 billion for the WIC Program, and \$6.8 billion for child nutrition programs. This is really more of an urban bill than a rural bill.

If I may digress from my formal remarks, this would be a very good place

to say that there is an increase of \$5.7 billion in this bill for food stamps, which tells you the devastating impact the recession is not only having on the country, but the devastating impact it is having on the U.S. Treasury.

Mr. President, I want Senators to know that the subcommittee's top priority was funding for the WIC Program. It has received by far the largest increase in the bill. For WIC, we are providing \$2.86 billion, a \$260 million increase over last year, or 10 percent. The subcommittee has consistently provided large increases for WIC. For the last 4 years WIC funding has increased by 10 percent or more each year. Given the budget constraints we face, I believe the committee can be proud that we were able to provide this big of an increase for WIC.

Again digressing from my prepared remarks, Mr. President, I would simply like to say there are two health care programs that the Federal Government funds that return more to the treasury than we spend.

The immunization program, immunizing our children against preventable childhood diseases, returns somewhere between \$10 and \$15 over the long run for every dollar we spend on it. We could eradicate every childhood disease.

Mr. President, they are not benign. When you say childhood disease, people think of something that is going to put a child in bed for a couple of days, and maybe the mother will have to stay home from work a day or two. They are deadly. It is absolutely inconceivable and unacceptable that a nation such as ours, with the means to prevent every single childhood disease—preventable childhood diseases—that we do not do so.

The second pay-back program is this WIC Program. We are only covering a little over 50 percent of the poor, pregnant women, infants, and children in this country with the WIC Program. The WIC Program provides a nutritious diet to pregnant women and promptly refers them to good prenatal care and neonatal care.

And every time you have a low-weight baby because the mother did not get care while she was pregnant, and especially because she did not get a nutritious diet, the taxpayers get to pick up the tab from somewhere between \$400,000 and \$1 million.

GAO has recently done a study that shows that the WIC Program returns \$3 for every dollar we put into it.

Therefore, I again say the committee is very pleased that we could increase the budget by 10 percent. It is a tragedy that, because of budget constraints, we cannot provide funding for every single poor pregnant mother and the infants and children in the country. And for everyone we do not provide care for, we are shooting ourselves in the foot.

Other important increases include \$16 million for the Food Safety and Inspection Service in order to avoid possible layoffs at meat and poultry plants around the country; a \$12 million increase for the Soil Conservation Service so that it can better meet the conservation requirements of the 1985 and 1990 farm bills; a \$36 million increase for rural housing rental assistance payments in order to meet the estimated renewals and servicing of contracts; a \$31 million increase for water and sewer grants throughout the country; and an \$18 million increase for the Food and Drug Administration.

In order to provide some of these increases, the subcommittee did have to make cuts in other programs; however, we feel that has been done responsibly and will not negatively—or marginally affect these programs. Several loan accounts in the Farmers Home Administration have been reduced, however the levels that we provide should be sufficient to meet estimated needs in 1993. We have also reduced special research grants throughout the country, and funds for construction of buildings and facilities significantly from the 1992 levels.

The subcommittee recommends going along with the House in regard to the Conservation Reserve Program and the Wetlands Reserve Program. For the Conservation Reserve Program, no new signups will be allowed in 1993. As much as I would like to have funded the Wetlands Reserve Program, a program I feel very strongly about as does the environmental community of this Nation, the budgetary constraints just do not allow it. By prohibiting the Wetlands Reserve Program from moving forward in 1993, the subcommittee saved \$178 million and without these savings, significant other cuts would have had to be made to ongoing programs. I hope we will be able to move the Wetlands Reserve Program into a truly national program the next year.

Considerable interest has been expressed in the Market Promotion Program to the subcommittee. The House cut this program from \$200 million in 1992 to \$75 million. That is a \$125 million cut in the Market Promotion Program. This subcommittee has cut from \$200 million to \$174.5 million for 1993.

Mr. President, I want to point out for the record that there is an omission in the Committee report accompanying H.R. 5487, the Agriculture appropriations bill.

Under the rural development grant account of the Farmers Home Administration, there should have been report language providing for the continuation of a grant, in the amount of \$250,000, for the North Dakota Agricultural Products Utilization Commission. This is the same amount that was provided under this account in fiscal year 1992.

Mr. President, I recommend this bill to my colleagues, and I earnestly solicit their support.

With that, I defer to my distinguished ranking member, Senator COCHRAN, of Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, first of all, let me thank the distinguished Senator from Arkansas for his comments and for his cooperation in putting together this important appropriations bill. It provides funds beginning October 1 of this year for the Department of Agriculture and related agencies.

It has been a difficult task because of the constraints of the budget process and the 602(b) allocation of funds to this subcommittee. As are all subcommittees of the Appropriations Committee, we are restricted in the total amount of funds that we can allocate to the various programs and activities that come within the jurisdiction of our subcommittee. This year's levels of funding are right at the ceiling of allowable funding by this subcommittee, so any amendment that might be offered on the floor of the Senate that would increase funding for any particular function in the bill will have to be offset by a corresponding decrease in funding in some other account in the bill. Therefore, we are hoping that Senators will look very carefully at the provisions of the bill, and we hope that the bill can be supported by the Senate and passed today without amendment. We understand there may be some amendments that will be offered. We will be prepared to discuss and debate those if they are.

I have some prepared remarks that describe in detail the provisions of the bill. Many of the things that I have included in my statement have already been covered by the distinguished acting chairman of the subcommittee, Mr. BUMPERS, so I will not go over all of those.

I will make a few comments, though, about what I consider to be some of the highlights of the bill that might be of interest to Senators.

One item in particular that I think is very important is the account for programs that involve agriculture research. One of the important elements in the success of U.S. agriculture over the years has been the support from the private and public sector for agriculture research initiatives. We have become preeminent in the world in agriculture production and efficiency and it is because, I think, we have allocated so much time and effort and energy into developing more efficient ways of producing food and fiber, more effective ways of protecting our water and soil resources, and, also, doing a great amount of scientific research to help ensure a safe, nutritious, and wholesome supply of food for American con-

sumers. So, all of these areas are targeted for funds in this bill to keep U.S. agriculture No. 1 in the world.

Our country's economic well-being today depends upon the continued successful exporting of U.S. agriculture commodities and products. For that reason, there is a very strong degree of support in this bill for market promotion programs of the Department of Agriculture to help deal with unfair trade practices from foreign competitors and to help make sure that U.S. exporters and U.S. farmers are treated fairly in the international marketplace.

I think we have proven over the years that we can compete anywhere with anybody because of our efficiencies and the hard work that is turned in by the agriculture sector. But when individuals who are trying to sell what they produce in overseas markets are confronted with foreign governments that are hostile to our interests, it sometimes takes a cooperative effort with our Government, acting through the Department of Agriculture and other Federal agencies, to offset the impact of those efforts that are made, sometimes unfairly, by foreign competitors to frustrate the sale of U.S. agriculture commodities and products.

So we have a Market Promotion Program, which contains important funds to deal with that problem; we have an Export Enhancement Program that is funded in this bill; and there is the Public Law 480, or Food for Peace Program that also has a market development component in it—all of which are very, very important to the continued well-being of the U.S. agriculture sector and to our overall economy as well.

We also have important provisions in the bill, for rural development activities.

There is, I might add, a growing awareness that most of the funds contained in this bill provide nutrition assistance to those in our society who cannot adequately provide for their own needs from their own resources. Over the years, the Food Stamp Program has been funded in this bill, along with the Women, Infants, and Children Program. We also have school lunch programs and school breakfast programs that are very important in helping to meet nutrition needs of children and those who attend our schools throughout the United States.

As a matter of fact, what used to be an agriculture appropriations bill has now become a nutrition bill; 64 percent of the funds contained in this bill that we are presenting to the Senate today are for food assistance and nutrition programs for American citizens. This is a \$61 billion bill. So you get an idea about the enormous commitment that is being made in the committee's recommendation for meeting these important nutrition needs of our citizens.

It has been a pleasure to work with the distinguished Senator from Arkansas [Mr. BUMPERS] in developing this proposal for the Senate's consideration. We had good support from the other members of the subcommittee as well. We had a number of requests from Senators to look at specific requests for funding of projects and programs throughout the country, and we tried to consider all of those in a fair and very careful way.

I am convinced this is a good bill. It deserves the support of the Senate.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill, as thus amended, be regarded for the purposes of amendment as original text, provided that no point of order should be waived by reason of the agreement to this request.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT ON ENERGY AND WATER APPROPRIATIONS BILL

Mr. SASSER. Mr. President, the Senate Budget Committee has examined H.R. 5487, the agriculture and rural development appropriations bill, and has found that the bill is at its 602(b) budget authority allocation and under its 602(b) outlay allocation by \$7 million. The bill is also within its discretionary and international spending allocations.

I compliment the distinguished manager of the bill, Senator BUMPERS, and the distinguished ranking minority member of the Agriculture Subcommittee, Senator COCHRAN on all of their hard work.

Mr. President, I have a table prepared by the Budget Committee which shows the official scoring of the Agriculture appropriations bill and I ask unanimous consent that it be printed in the RECORD at the appropriate point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

SENATE BUDGET COMMITTEE SCORING OF H.R. 5487

AGRICULTURE SUBCOMMITTEE SPENDING TOTALS—SENATE REPORTED  
(In millions of dollars)

Bill summary	Budget authority	Outlays
Domestic discretionary .....	12,300	11,840
Senate 602(b) allocation .....	12,300	11,841
Difference .....	0	-1
International .....	1,574	1,573
Senate 602(b) allocation .....	1,574	1,579
Difference .....	0	-6
Mandatory total .....	41,123	32,370
Senate 602(b) allocation .....	41,123	32,370
Difference .....	0	-0
Bill total .....	54,997	45,783
Senate 602(b) allocation .....	54,997	45,790
Difference .....	0	-7
Domestic discretionary above (+) or below (-):		
President's request .....	806	392

AGRICULTURE SUBCOMMITTEE SPENDING TOTALS—SENATE REPORTED—Continued  
(In millions of dollars)

Bill summary	Budget authority	Outlays
House—passed bill .....	86	38
Senate—reported bill .....		
International above (+) or below (-):		
President's request .....	125	69
House—passed bill .....	35	13
Senate—reported bill .....		

Mr. BUMPERS. Mr. President, Senator COCHRAN and I seem to have the Senate floor all to ourselves, and normally that would be fine if I had a barn-burning speech to make, which I do not. So I am going to, by addressing myself to the amendments on this bill, say to my colleagues that we are going to move to third reading on this bill very shortly. Anybody who wishes to vent his or her spleen on the bill or offer an amendment had better get over here and do it because this is one of the busiest days of my life.

Interior appropriations is meeting at 3 o'clock this afternoon. I have a lot of things on that bill that I need to attend to. I would like to finish by then. We are not going to sit here all morning twiddling our thumbs waiting for somebody to decide whether or not they are going to offer an amendment.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CASE FOR EXTENDING SUPER 301

Mr. BAUCUS. Mr. President, I rise today to urge the passing of a market opening trade bill this year.

I congratulate the House on passing a trade bill just before the recent congressional recess. Although I have concerns about some provisions in the bill, on the whole I think it is a good effort.

I was particularly pleased to see that the House bill—H.R. 5100—included a 5-year extension of Super 301, the Trade Agreements Compliance Act, and a strengthening of Special 301. These are critical market-opening changes to U.S. trade laws. I introduced similar provisions in the Senate some months ago.

Mr. President, the world is changing. National security is now more determined by economic strength than military strength. Increasingly, our national security will be determined more by our ability to deliver semiconductors and autos to foreign capitals than bombs and missiles.

For this reason, I very much hope that the Senate can pass this legislation in the next few weeks.

MARKET OPENING PROVISIONS OF THE 1988  
TRADE ACT

To understand why this market opening legislation is critical to American business, American workers, and American trade policy, we have to go back to 1988.

The 1988 Trade Act created an array of new market opening trade laws, including Super 301 and Special 301.

Super 301 was aimed at countries that systematically resort to protectionism to exclude U.S. exports. The provision required the USTR to identify those countries that maintained the most egregious trade barriers and initiate negotiations aimed at eliminating the barriers under threat of retaliation.

In just 2 years of operation, Super 301 was successful in ending Brazil's system of import licenses and opening the Japanese market to United States exports of processed forest products, satellites, and supercomputers.

Just the threat of being identified under Super 301 was enough to convince several nations to conclude major market opening agreements with the United States. All in all, Super 301 has compiled a spectacular record of success—even in the face of very unenthusiastic implementation by the Bush administration.

## THE ADMINISTRATION'S RECORD

But Super 301 expired in 1990, and the Bush administration has opposed its extension. Administration officials argue that they have the authority to initiate Section 301 cases without Super 301.

That statement is undeniably true. But the fact is that the administration does not initiate cases unless it is forced to do so.

Take a look at the record. Of the 17 Section 301 cases initiated during the first 3 years of the Bush administration, 9 were forced by either Super 301 or Special 301.

The Bush administration initiated only four Section 301 cases on their own volition—most of which were initiated under strong congressional pressure. The remaining cases were initiated after the administration was petitioned by U.S. industry.

But the only Section 301 cases initiated against Japan were forced by Super 301.

In fact, even though it was forced to initiate cases under both Super 301 and Special 301, the Bush administration initiated Section 301 actions no more frequently than the Reagan administration.

## SUPER 301 AND THE GATT

The administration also argues that a Super 301 extension might endanger the Uruguay round.

Frankly, I am tired of walking on eggshells in order to keep the ghost of the Uruguay round alive. I certainly support our objectives in the round. I was, in fact, the only Senator to travel both

to Brussels in 1990 and to Geneva in 1991 to witness the planned conclusion of the Uruguay round.

Needless to say, neither meeting concluded the round. We must now, therefore, be realistic. The prospects for the round appear grim. The Europeans seem utterly unwilling to budge on agricultural export subsidies. Without such a move by the EC, there will almost certainly be no Uruguay round.

Further, many key trade issues, such as Japanese business collusion, would not be addressed even if the round was successfully concluded.

At least up to this point, Super 301 has been far more successful in opening markets than the Uruguay round. I see no reason to hold up our decision to extend Super 301 awaiting an outcome for the 6-year-old Uruguay round negotiations.

Furthermore, the best way to push the Uruguay round toward a conclusion is to demonstrate to our trading partners that there will be a day of reckoning. We must be willing to address their trade barriers under Super 301 if they cannot be resolved in the round. Perhaps the Uruguay round will look more appealing to the French, the Japanese, and the Koreans if the alternative is addressing the same issues under Super 301.

As things stand, other nations realize that once Super 301 expired, the United States lost its big stick. Early last year, a group of prominent United States businessmen working in Korea visited my office. They asked if I could at least begin talking about extending Super 301. When I asked them why they said that Super 301 was the only tool in the American trade arsenal that the Korean Government took seriously. It was the best tool for keeping Korean protectionism in check.

## EXTENDING SUPER 301

In my opinion, it is long past time for the United States to bring back the big stick of Super 301. The statute worked well and should be extended whether or not we have a successful GATT round.

I recognize that at this late date it will be difficult to make many changes in Super 301. But the House trade bill and S. 1850—that is the Super 301 extension I introduced along with Senators DANFORTH and RIEGLE—both essentially call for a straight 5-year extension of Super 301. I hope the Congress can pass such an extension this year.

But Super 301 is not the only market-opening provision of the 1988 Trade Act. There is also the Special 301 provision which is aimed at ending piracy of American intellectual property, such as films, books, and computer software items.

Special 301 has compiled almost as impressive a record as Super 301. It is responsible for winning improved protection for United States intellectual

property in China, Indonesia, Taiwan, Mexico, and many other countries.

But the credibility of Special 301 is in jeopardy because the administration has declined to retaliate against India and Thailand—even though these countries blatantly pirate United States intellectual property. India actually re-exports many pharmaceuticals that it pirates from the United States.

The House bill contains a provision aimed at strengthening the retaliation requirements under Special 301. I hope a similar provision can be developed in the Senate bill.

Mr. President, I am far more interested in passing a trade bill that will open foreign markets and make a real difference for American exporters and workers than I am in playing politics.

The Congress has a real chance to defy the conventional wisdom and pass a responsible, market-opening trade bill in an election year.

I believe that Congress should send such a market-opening trade bill to the President, and see if he, too, will put politics aside.

Mr. President, I yield the floor.

Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER (Mr. KOHL). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I rise to offer an amendment to reduce wasteful spending on computers at USDA and use those funds to continue a nationwide Wetlands Reserve Program—a program supported by Congress, the President, farmers, and environmentalists.

The Senator from Minnesota, Senator DURENBERGER, is the principal cosponsor of this amendment.

USDA's current size is staggering. We have all heard the figures. If USDA were a bank, its \$140 billion in assets would make it the second largest bank in the country. If USDA were a U.S. corporation, it would rank fourth in assets—larger than Mobil or IBM.

Faced with the facts of the declining population of American farmers and a \$400 billion deficit, the committee undertook a program of oversight of USDA's operations this year.

We challenged USDA to explain why it still needed over 8,000 offices, representing four different farm service agencies, in virtually every county in the United States.

We found that offices that were established when farmers drove Model T's, were not needed in the days of interstate highways.

We also looked at USDA's computer programs.

We found that there are 600 people in just the Agriculture Stabilization and Conservation Service doing software development work—and ASCS is only one of the 35 agencies at USDA.

In 1991 alone, USDA spend \$650 million to acquire, operate and maintain computer equipment. That is more than USDA spends annually for many of its agencies—the Food Safety Inspection Service, the Extension Service, the Economic Research Service, or the Foreign Agricultural Service for example.

In 1993, USDA will spend another \$400 million on computers for the farm service agencies.

The committee's oversight work, in which the ranking member, RICHARD LUGAR has been such a leader, has been successful.

It culminated in a decision by Secretary Madigan last month to form a SWAT team to study, among other things, the benefits of merging the four farm service agencies.

In light of this commitment by the Secretary to reorganize the Department, Senator LUGAR and I pressed USDA again and again to stop the computer spending until reorganization decisions were made. It makes no sense to modernize four computer systems, if the four farm service agencies were to be consolidated.

At this time USDA continued to refuse to make the commitment to stop the computer spending.

Therefore, last month I introduced legislation to stop USDA's long-term computer purchases for fiscal year 1993.

Progress last week when the Secretary finally told me that he will not purchase any new farm agency computer systems until the SWAT team submits its recommendations for reorganizing and consolidating the Department sometime after the election.

But I was amazed to learn that the Secretary did not plan to reduce computer funding for fiscal year 1993 at all.

In brief, the Secretary believes the four farm agencies still need \$191 million for planning long-range computer objectives in fiscal year 1993. That is in addition to \$206 million needed for operations and maintenance of existing systems.

So, we decided to take a closer look at the projects planned under this category. What we found were projects in ASCS and FCIC totaling \$55 million—including intra-agency, nonmaintenance projects—that could well be rendered obsolete after restructuring. For example:

A strategic plan for ASCS management information systems, \$14 million;

An automated ASCS administrative procedures system for travel, legislative tracking, et cetera, \$.9 million;

A local area network for ASCS headquarters and State offices, \$10.6 million;

An ASCS long-term program improvements/operations streamlining program, \$11.6 million;

A program to develop a common methodology for ASCS software development, \$1.7 million; and

An FCIC office automation modernization project, \$16.1 million.

I understand the need for replacing broken computers in county offices, developing new software to fix financial management systems, or renewing maintenance contracts so that existing hardware will remain in working order. This amendment leaves \$342 million in USDA's budget for these needs.

But I do not understand the need for individual agency strategic planning projects or a local area network project for headquarters when USDA is likely to be restructured within months.

Last time I spoke on this issue I asked: "If you were building a house, would you buy a furnace before you decided whether there would be one or four bedrooms?"

Today I ask: why put up new wallpaper in the individual bedrooms if the walls may be torn down next year when a modern, streamlined house is built with less bedrooms?

It is our job to make sure that the Department of Agriculture is doing everything it can to cut waste. To do this, we must take this \$55 million out of fiscal year 1993 appropriations now.

We must save the American taxpayer this \$55 million—before it is arbitrarily wasted.

Fortunately, saving this money will also provide funding for the essential Wetlands Reserve Program, which was zeroed out by the bill before us.

The Wetlands Reserve Program is a voluntary program which protects and restores farmed wetlands.

It was at the heart of a historic compromise developed between the farm community and the environmental community in the 1990 farm bill.

I do not need to tell anyone in this institution that wetlands are contentious issue.

To address farmers' concerns about wetlands, we made a number of changes in the 1990 farm bill that make the swampbuster provisions, established in the 1985 farm bill, more workable for farmers and easier for the Department of Agriculture to implement. We reduced penalties, permitted farmers to drain so-called nuisance wetlands and permitted farmers to drain wetlands that interfered with their operations if they mitigated the damage.

The farming community also wanted to be more involved in a positive way in addressing wetlands issues.

That is why the 1990 farm bill created the Wetland Reserve Program. This program lets farmers play a positive role in protecting wetlands in a way that makes sense to them economically.

This program also provides relief to farmers who believe that the use of their land is economically restricted by wetland rules. These farmers can re-

ceive payments from the Federal Government to preserve wetlands and make up for lost farm income.

In time this program will protect a million acres of wetlands in a way that benefits the environment, farmers, sportsmen and recharges our ground water supplies.

I must emphasize that the benefits of the Wetland Reserve Program are given directly to farmers who restore farmed or drained wetlands. This is not a regulatory program.

I must also mention that the cost of the Wetlands Reserve Program was scored against the agricultural programs funded by Agriculture Committee in the 1990 farm bill for a 5-year period.

If we had known that the Appropriations Committee did not intend to fund the program established by Congress, and that it would refuse to fund the President's request to build the wetlands reserve, we could have used these funds to protect the income of dairy, wheat, rice, cotton or corn farmers in other ways.

Instead we created a wetlands reserve because it made sense for both for the farmer's pocketbook and our environment. As it turns out, this program is enormously popular with farmers. Ten times the expected number of farmers signed up for the wetland reserve.

So Mr. President, we reached a compromise between the agricultural and environmental communities in the farm bill. It is supported by the President of the United States and is very popular with farmers.

Instead of the farm community being blamed for draining wetlands and being portrayed as enemies of the environment, this program created the opportunity for the farmers to be part of the solution to our wetlands crisis.

I urge my colleagues to use the savings from stopping spending on computers—money that should not and must not go forward until the Department is reorganized—and instead fund this program that was mandated by Congress, supported by the President, is popular with farmers and is a contribution to the environment.

The choice is simple—bureaucratic waste, or support for American farmers and our environment.

I urge my colleagues to support this amendment.

#### AMENDMENT NO. 2768

(Purpose: To reduce appropriations for long-range information resources management objectives by the Agricultural Stabilization and Conservation Service and the Federal Crop Insurance Corporation and to increase appropriations for the Wetlands Reserve Program)

Mr. LEAHY. I send to the desk my amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY] proposes an amendment numbered 2768.

Mr. LEAHY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 30—

(1) On line 5, strike "\$714,551,000" and insert in lieu thereof "\$702,451,000"; and

(2) On line 6, strike "\$712,926,000" and insert in lieu thereof "\$700,826,000".

On page 33, line 5, strike "\$326,048,000" and insert in lieu thereof "\$309,948,000".

On page 47, between lines 3 and 4, insert the following:

"WETLANDS RESERVE PROGRAM

"For necessary expenses to carry out the Wetlands Reserve Program on a national basis pursuant to subchapter C of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.), \$42,780,000 to remain available until expended: *Provided*, That none of the funds made available by this Act shall be used to enter in excess of 47,980 acres in fiscal year 1993 into the Wetlands Reserve Program provided for herein: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of carrying out the Wetlands Reserve Program."

On page 88, strike line 1 and all that follows through line 5; and insert in lieu thereof the following:

"SEC. 728. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out a program for the purchase of computer hardware and software and other costs in support of long-range Information Resource Management objectives in Automated Data Processing if the aggregate amount of funds for such purchases exceeds \$35,700,000."

ADDITIONAL COSPONSOR

Mr. LEAHY. Mr. President, I ask unanimous consent that Senator DURENBERGER be listed as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. Is there further debate?

Mr. BUMPERS. Mr. President, obviously, the Senator from Vermont is due some differential treatment on any amendment he offers on the Agriculture Appropriations Committee, because he is chairman of the full Agriculture Committee. And he touches a nerve with me, because he is trying to fund the Wetlands Reserve Program, which is a very popular program with me, as well as environmentalists across the country.

There are two things that trouble me about the amendment. One is the Wetlands Reserve Program is operating on a pilot basis and, for the benefit of those who may not be familiar with the program, it is designed to encourage farmers to convert cropland to wetlands; a highly desirable goal.

We put in \$40 plus million last year to fund this year's program, and they were to report back to us on how the

program was working: What they are paying for these easements and so on—what kind of land they are getting.

I do not mind telling you I was upset because Arkansas was not one of the nine States, and I think we should be. And our wetlands are much greater than some of the States that were chosen. To be brutally frank with you, the decision was made on a purely political basis and that is tragic always.

But that does not diminish from the thrust of the program. Mr. President, let me give you an illustration. The other day, in visiting with the people in the Department of Agriculture, I found that what they are doing is that they go to these farmers and they say "We want an easement on this land. We want to convert it back to wetlands. Presumably it was wetlands at one time, some of it. We want an easement on this land for 30 years to be controlled by us. We do not want you farming it anymore. We want this to be wetlands."

Let me strike what I just said, to change it this way: The Congress has said that the Department of Agriculture can go to a farmer on this Wetlands Reserve Program and say, "You have 50 acres out here that we think they qualify. We would like to talk to you." The farmer usually comes to them, frankly, and says "I have some land that I would like to put in the wetlands reserve." They look at it and they say, "What would you like, what would you take for this 50-acre tract, and in perpetuity; forever?" He sets a price, they negotiate, they get appraisals, and so on.

Now, the Congress has given the Department of Agriculture the right to take a 30-year easement, not an easement forever; but the Department has chosen not to do that. They have chosen not to take 30-year easements. When they take an easement they take an easement forever. It is almost like selling the property in fee simple.

So far, they are authorized 50,000 acres. Mr. President, so far, the average cost of this program is \$927 an acre. I must tell you that sounds like a pretty handsome sum to me. I have a farm I would sure like to sell them for \$927 an acre.

I am sure this is all on the up and up and they do evaluations and appraisals on this land. But they are to report back to us, and one of the things they are going to report back to us is that they have been spending \$927 an acre on the Wetlands Reserve Program. Maybe they can justify it. It sounds high to me. I am half farmer. It sounds high to me based on land values around my State.

Second, Mr. President, the Secretary of Agriculture says that if we do what the Senator from Vermont is requesting us in this amendment we are going to wind up revamping the Department of Agriculture, which is underway in a

rather harum-scarum way, because they say they need this technological boost and software and technology, and so on, in order to decide how many offices they are going to close, how well these offices communicate with each other, and the decisions are going to be made in a nonbusinesslike manner. There is some confusion about just how much money is involved. The Secretary of Agriculture just told the committee that the President's request contains \$397 million for computers, software, and technological advances.

The Senator from Vermont chooses to take \$55 million of that and put it in the wetlands reserve. I can tell you, if I thought the Department of Agriculture were not going to be seriously crippled, I would not even be standing up here talking. I would say I will accept your amendment.

So it is very difficult. There is one thing I do know that makes the Senator's amendment a little more palatable and that is we are probably going to have 2 or 3 years before all of this equipment is going to really be needed, and so perhaps a case can be made for the Senator's amendment.

Let me just close by saying this to my good friend from Vermont: The House chose not to put one penny into the Wetlands Reserve Program. If I were king, I would disagree with that, because I think the wetlands reserve program is a very good program. As I told you, I am concerned at what they are spending. But the House put nothing in it; they feel very strongly that we should not fund it again in 1993. They have a lot of carryover money. They are still signing up farmers, and they will continue to sign them in 1993 from the money we gave them last year.

So the only thing I can say to the Senator is we might accept this amendment on two conditions. No. 1, he has another amendment which I think he will not offer and, second, with the understanding we will take this amendment to conference. But I cannot guarantee to him that the House is going to recede to the Senate position. Of course, the Senator knows that I strongly favor the wetlands reserve program and I am rather glad that he did not choose to fund it out of the market promotion program which is also very popular across the country.

Mr. LEAHY. Mr. President, will the Senator yield.

Mr. BUMPERS. I am happy to yield.  
Mr. LEAHY. Mr. President, there is one thing I should note so there is no confusion. I know the Senator is not confused on this point. I want to make sure nobody else is. This is not longer a payout program that is to be available to everybody.

I, too, am concerned about what prices might be paid by the Department for something of this nature. We have written it in the law, and this has

been the view of the Senate Agriculture Committee. And it is certainly in the farm bill. It will also be the view expressed in the oversight hearings that we have in the Agriculture Committee. The Department does not have to accept unreasonable bids.

I have some land in my tree farm in Vermont that I would be happy to sell for \$800. I am not sure how somebody would get to it evenly up the side over a mountain. I suppose it gets wet at some point. I would be happy to sell it for \$800, but I am sure if I ever did that, the people who have to check those bids in Vermont would enjoy a laugh over it, and that would be the end of it. So they do not have to accept high bids.

Second, I know the Senator's interests in the wetlands provision. He has been one of the leading voices for environmental conscious legislation in this body.

But what I am concerned is we will take it to conference. I always wanted to get beyond the Ohio clock on the way to conference. I, too, have brought things to conference which tend to disappear like the early morning vapors on the way. I would hope that this amendment would get a very strong vote, a very clear vote in the Senate, and would thus strengthen the hands of the conferees.

I have been in those conferences. I do not envy either the chairman or the ranking member in having to go to such a conference. It could be one of the most contentious, difficult times. Like the chairman and like the ranking member, I have had to vote for things in conference that I did not like simply to be able to get a bill through, because it had far more things that I liked than I did not like. I say that because with the two managers in this conference you could not have two more qualified Members of the U.S. Senate. I say that to my good friend from Arkansas and my good friend from Mississippi. You could not have two Senators more qualified to take the bill to conference than they.

With that, I see the Senator from Mississippi on the floor, and I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. COCHRAN. Mr. President, I respect very much the distinguished Senator from Vermont in his role as chairman of the Agriculture Committee and in the effort that he is making now to try to find some source for funding of the Wetlands Reserve Program over and above the amount contained in the bill. I would like to see more money in that program as well. It is very popular among landowners in my State of Mississippi who are making plans to sign up for and take advantage of the opportunities in that program.

So I sympathize with that goal which the Senator has described. I must say,

though, that I regret that the effort is being targeted to take funding away from the Secretary's program of modernization and improvement of program delivery and service delivery at the Department of Agriculture.

Secretary Ed Madigan is doing an excellent job, in my judgment, trying to identify ways to make the department more efficient, to streamline its delivery of program services, and to modernize operations.

The Senate should not take any action to impose changes or revisions of the plan the Secretary has laid out to achieve these important changes.

As members of the Senate Agriculture Committee will remember, Secretary Madigan came to our committee on April 8 to discuss his plans and to answer questions that were put to him by members of the committee about what he had in mind for the Department of Agriculture in this regard. We need to give him a chance to carry out the plans that he is developing, and refrain from imposing constraints on his actions and cutting his budget for computer-related services.

It is obvious to me that a lot of the suggestions and ideas that he presented to the committee make a great deal of sense and are long overdue.

In a recent letter that the Secretary sent to the chairman of the Agriculture Committee, the distinguished Senator from Vermont, he stated his commitment to halt the purchase of new types of computer systems in field offices of the farm service agencies until the departmentwide review of those offices had been completed.

The Secretary further announced a new program of consolidated procurement of future computer systems for those offices. The desirable effects that will ensue from that new policy will be, first of all, the computers of the agencies would be made compatible as between the Farmers Home Administration, the ASCS, Soil Conservation Service, and the crop insurance offices, so that those agencies could exchange and share information so they would have access to the same data.

The second result of that new program implementation would be that paperwork would be reduced for farmers, and it would make more efficient the operation of the department's field offices.

The third result would be that future costs of buying computers for USDA field offices would be reduced, starting in fiscal year 1995, after a new contract is awarded.

Computer related activities to be funded in the 1993 budget for farm agencies are critical to the effective management of these programs, and they are vital to serving farmers, ranchers, and others who obtain services from the Department of Agriculture.

Many of the computer systems in the field offices are old; they are out of

date. Many are overloaded because of new program demands, disaster assistance programs and others, in the last couple of years.

The Secretary has given his assurance that he will not make irrevocable investments in field office computers that will be wasted by future decisions on office closings and consolidations.

Mr. President, I hope that any consideration of restrictions or language that would impede or restrict the Secretary in implementing these management changes would be looked at very carefully by the Senate. I hope the Senate will resist adopting any changes that would undermine the efforts being made.

I ask unanimous consent that a copy of a letter from the Secretary of Agriculture to Senator LEAHY as chairman of the Agriculture Committee, dated July 22, 1992, together with a USDA long-range IRM objectives plan, be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,

Washington, DC, July 22, 1992.

HON. PATRICK J. LEAHY,

Chairman, Committee on Agriculture, Nutrition, and Forestry, U.S. Senate, Washington, DC.

DEAR PAT: Thank you for your letter of July 22, 1992, concerning our plans for the farmer agency computer systems. I appreciate your support for our efforts to consolidate our computer procurement activities.

I am sorry there has been some confusion over the budget numbers associated with this action, as well as generally with our 1993 budget for information resources management activities. We believe our efforts to consolidate computer purchases will yield significant savings in the long term. However, initial contracts for new systems will not even be entered for about 2 years. In the meantime, we cannot leave the involved agencies without reasonable budget resources to maintain their current systems and pursue some urgent short-term objectives in areas such as financial management, information systems, etc. The President's Budget does in fact include \$397 million for this purpose.

Of the total of \$397 million included in the President's Budget, \$191 million is classified as contributing to "long-term objectives." It is my understanding that in the briefing on July 20th, your staff asked for a further breakdown of this funding. The enclosed book provides that information. You will note that only about 25 percent of these funds would be used for equipment. The vast majority of the funding would support software, personnel, contracting and other costs necessary to maintain present systems.

Your letter now indicates that you would like similar information for the entire \$397 million. We have no objection to providing that information. I have asked our staff to develop it as soon as possible and provide it to your staff as an addition to the material in the enclosed book. We anticipate that this additional data will indicate the same pattern of spending as is the case for the first \$191 million.

We believe that the General Accounting Office recommendation is based on a misunderstanding of the budget information and hope that the enclosed material will help to

clarify the situation. Our Information Resources Management staff is available to provide any further assistance you may need.

Sincerely,

EDWARD MADIGAN,  
Secretary.

USDA LONG-RANGE IRM OBJECTIVES—FISCAL YEAR 1993

The President's 1993 Budget for the Department of Agriculture includes \$190.6 million in the budgets of the four farm service agencies (the Agricultural Stabilization and Conservation Service (ASCS), the Farmers Home Administration (FmHA), the Soil Conservation Service (SCS), and the Federal Crop Insurance Corporation (FCIC) for hardware, software, as well as personnel and related costs in support of "long-range IRM objectives" in ADP. These budgets may be summarized as follows:

	Millions
Agricultural Stabilization and Conservation Service .....	\$76.2
Farmers Home Administration .....	67.5
Federal Crop Insurance Corporation .....	23.2
Soil Conservation Service .....	23.7
<b>Total .....</b>	<b>190.6</b>

Attached is further information concerning each of these agencies. In reviewing this information it should be noted that:

The term "long-range IRM objectives" has a broad definition. While agency efforts support long-term objectives, in many cases they also support urgent short-term needs related both to field delivery of programs and to management information systems. Further, as the attached information indicates, this "long-range IRM objectives" category can be divided into two areas. The first relates to field office initiatives and activities. The second includes initiatives that are not directly related to field activities. This latter area includes accounting system improvements, financial management system improvements, and management information system activities.

The budget figures predate the Secretary's recent announcement on ADP. Specifically, Secretary Madigan recently announced a precedent-setting change in the way that the Department will plan and procure computer systems for the farm service agencies. In the past, each agency managed its own ADP activities independent of the other farm service agencies. Under the new procedures, USDA will proceed with a single, consolidated systems development plan for field office systems for ASCS, FmHA and SCS. This plan will be coordinated fully with the acquisition of computers for the FCIC which is currently underway. Further, the FCIC contract for computer acquisition will not be awarded until the USDA-OMB review teams complete their analysis and report to the Secretary. There are no funds included in the FY 1993 Budget for the procurement of new systems for ASCS, FmHA and SCS. The Budget includes funding only to maintain the capability or provide required upgrades to existing computer systems.

The Secretary's initiative is built on a recognition of the fact that current field office systems are nearing the end of their useful lives and must be replaced with a new system. However, while planning for the new system will begin in FY 1993, the award of a contract and placement of orders for a new system is at least 2 years into the future. Savings due to economies of scale and other efficiencies resulting from the new system will be substantial but will not occur for sev-

eral years. In the meantime, the funds requested in FY 1993 are critical to maintain current systems and provide for the cost of planning and conducting a procurement for the new system.

In addition to the field office activities area, FY 1993 budgets include funds categorized as "long-range IRM objectives" for initiatives that are not directly related to field activities. As noted above, these include accounting systems, financial management systems, decision support systems, and management information systems. These systems provide support for ongoing program activities such as loan repayment and agency claims, and provide information on program decisions to policy-level officials.

Attachments include:

Overview:

Totals for USDA Long-Range IRM Objectives.

Totals for USDA Long-Range IRM Objectives—Field Office System Initiatives.

Totals for USDA Long-Range IRM Objectives—Other Than Field Office System Initiatives.

Agencies:

Totals for Each USDA Agency—Field Office System Initiative.

Totals for Each USDA Agency—Other Than Field Office System Initiatives.

Narrative Description of Agency Initiatives.

Mr. DURENBERGER. Mr. President, as the primary cosponsor of this amendment, I rise to support my colleague from Vermont. The Wetlands Reserve Program is sound public policy that will help every American. The Wetlands Reserve Program will protect a vital natural resource that serves several important ecological functions.

The Leahy-Durenberger amendment is very simple. It takes \$54.9 million from the long-range computer purchase budget of the Department of Agriculture and moves it to the Wetlands Reserve Program. In a letter to the Senate Agriculture Committee on June 18, 1992, Secretary Madigan stated that such computer purchases are unnecessary while he attempts to restructure the Department.

This amendment is supported by environmental groups such as the Center for Resource Economics, National Wildlife Federation, World Wildlife Fund, Wildlife Management Institute, Natural Resources Defense Council, National Audubon Society, Environmental Defense Fund, Chesapeake Bay Foundation, and Sierra Club.

President Bush also requested \$161 million for the Wetlands Reserve Program.

Wetlands are a national resource because they serve several important ecological functions. Wetlands act as biological filters. They slow the rate of water runoff. And, they support and replenish stream flows and ground water sources. Wetlands also provide a significant habitat for wildlife, especially migratory waterfowl, and fisheries.

As we understand more about the environmental value of wetlands, we realize that the Federal Government placed an entirely different set of values on wetlands in the past. Within our

lifetime, Federal policy provided incentives to landowners to drain wetlands in order to increase the production of food and encourage development.

These past policies reflected a grave misunderstanding of one of the Earth's most vital resources. Fortunately, Senators and the general public are understanding the error in the past wetlands policies and are creating policies to protect wetlands. One of these policies is the Wetlands Reserve Program.

The Wetlands Reserve Program gives farmers a financial incentive to set aside wetlands for conservation. This program works on the same principle as the highly successful Conservation Reserve Program which has helped preserve hundreds of thousands acres of soil. The Wetlands Reserve Program was supposed to enroll 466,000 acres in fiscal year 1993. The Leahy-Durenberger amendment will provide funding for 62,000 acres of wetlands. A number I feel is inadequate but which is better than nothing.

Because wetlands have a value that spans generations, public policy must work to protect these resources. Every time I fly over my home State of Minnesota, I am reminded of the wetlands that brought delight to my life as a young boy growing up in rural Stearns County. Those wetlands were unique science laboratories.

Public policy in the 1990's must protect wetlands for future generations. The Leahy-Durenberger amendment would restore funding to the Wetlands Reserve Program which will help us accomplish this goal. I urge my colleagues to support this program.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I know we have gone beyond the time we have set to recess for caucuses.

I ask unanimous consent that we be able to continue on this matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT 2768, AS MODIFIED

Mr. LEAHY. Mr. President, I send a modification of my amendment to the desk on behalf of myself and Senator DURENBERGER.

The PRESIDING OFFICER. The Senator has that right. The amendment is so modified.

The modification is as follows:

On page 30—

(1) On line 5, strike "\$714,551,000" and insert in lieu thereof "\$702,451,000"; and  
(2) On line 6, strike "\$712,926,000" and insert in lieu thereof "\$700,826,000".

On page 33, line 5, strike "\$326,048,000" and insert in lieu thereof "\$309,948,000".

On page 47, between lines 3 and 4, insert the following:

"WETLANDS RESERVE PROGRAM

"For necessary expenses to carry out the Wetlands Reserve Program on a national basis pursuant to subchapter C of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.), \$54,900,000 to remain

available until expended: *Provided*, That none of the funds made available by this Act shall be used to enter in excess of 61,500 acres in fiscal year 1993 into the Wetlands Reserve Program provided for herein: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of carrying out the Wetlands Reserve Program."

On page 88, strike line 1 and all that follows through line 5; and insert in lieu thereof the following:

"Sec. 728. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out a program for the purchase of computer hardware and software and other costs in support of long-range Information Resources Management objectives in Automated Data Processing if the aggregate amount of funds for such purchases exceeds \$35,700,000."

Mr. LEAHY. So my distinguished colleagues from Arkansas and Mississippi will understand, Mr. President, this simply shows a difference in budget authority, and it reflects new CBO numbers that we received when we came here.

Mr. President, as I noted before, the distinguished Senator from Arkansas and the distinguished Senator from Mississippi are two of the most knowledgeable and qualified Members of this body. And I know that, if this is included, they will do their level best in conference with the other body.

While I had originally planned to have a rollcall vote, I also know that the distinguished leaders of this body are trying to get through a lot of legislation today. And so rather than do that, I am perfectly willing to accept a voice vote on this amendment.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I think that is a suitable solution on this amendment.

Mr. SANFORD. Mr. President, I rise in favor of the amendment offered by Senators LEAHY and DURENBERGER to restore at least some funding for the valuable Wetland Reserve Program [WRP].

As my colleagues know, this program has received uniform approval from members of the conservation community and the farm community, the Republican administration and Democrats in Congress.

The program has been well defined by others here today, but I think it is important to note once again that we are not taking land from farmers or forcing them to restore their land to its prior wetland condition. The Government is giving landowners a choice. We are exercising common sense through this program.

Farmers in my home State and the other eight fiscal year 1992 pilot States have become part of the conservation community through this program. Because of the heated debate over how to

protect our Nation's wetlands, our farmers have unfairly and wrongly become a scapegoat for many environmentalists on this issue. The success of the Wetlands Reserve Program in North Carolina and other States proves to me that farmers want to help restore wildlife habitat if given an opportunity to do so without sacrificing their ever-dwindling farm profit margins.

We had great hopes for the Wetlands Program when most of us voted to authorize the initiative in the 1990 farm bill, but last year Congress provided less than half of the funding needed to make this a national effort. Only 9 States were chosen to participate in the pilot program last year; North Carolina farmers signed up to enroll 25,000 acres in the program. The USDA received requests to enroll almost a half-million acres from the nine States eligible to participate.

This year, just as last year, I joined a number of my colleagues in requesting proper funding for WRP from the Agriculture Subcommittee of the Appropriations Committee. I do understand the constraints expressed by my friends on that subcommittee and have heard a number of them speak in favor of the Wetlands Reserve Program in principle, and of their hope to give more attention to this initiative next year. I fear, however, that we might lose valuable momentum, both in Congress and among members of the farm community, if we do not keep this project alive.

It is not often that Congress can point to such consensus among various interests on a given program; I hope we can take advantage of this unity to affect real change for the better for our environment.

Mr. President, I urge my colleagues to support the distinguished chairman of the Agriculture Committee in his efforts to allocate \$50 million from present USDA designation for computers to be applied directly to the Wetlands Reserve Program.

Mr. PRYOR. Mr. President, I want to commend my colleague, Senator PATRICK LEAHY, chairman of the Senate Agriculture Committee, for his amendment to strike a double blow for efficiency and wisdom.

This amendment would reduce expenditures in a wasteful USDA exercise in computer purchases, and instead, channel those funds into the critically important Wetland Reserve Program [WRP]. As a sponsor of creating the WRP during the 1990 farm bill, I am acutely aware of the dire need in funding such a program. For much too long, outside interests have attempted to dictate to our farmers what they can do with farmland, with little regard to the farmer's private property rights. As a myriad of Federal agencies have wrestled over a definition of wetlands, farmers have dealt with many uncer-

tainties as they await a clear directive. There is much unease because of the amount of acreage which might eventually be defined as wetlands, and practically rendered useless. In essence, our producers who pay the taxes and the mortgage, and just want to farm the same land as they have always farmed could be told they are to be penalized for past mistakes made by others.

The WRP is a program that is vital to wildlife, environmental and the right of private property concerns. Its function, once fully funded and expanded to a nationwide program, could serve as a universal model which enables us to achieve conservation goals simultaneously with economic fairness. There are millions of acres in this country which have produced a bountiful food and fiber supply for America and the world, and which could, under a practical WRP, serve as a haven for waterfowl and wildlife. Securing this partnership is a testament to the school of thought that we do not have to choose one or the other; we can have both.

The leadership and vision in addressing the WRP and the many issues it includes has been exemplary from the author of the amendment as well as the bill's floor managers, Senator BUMPERS and Senator COCHRAN.

I applaud the action of the Senate in accepting this language and now have reason for hope as we look forward to an era of what can be accomplished for this planet when we remain sensitive to the rights of private property.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2768), as modified, was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the amendment, as modified, was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from Arkansas and the distinguished Senator from Mississippi for their courtesy.

I yield the floor.

Mr. BUMPERS. Mr. President I understand that there is an order regarding a recess until 2:15; is that correct?

The PRESIDING OFFICER. The Senator is correct.

RECESS UNTIL 2:15 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate now stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:38 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ADAMS).

**IMPROVED ENERGY EFFICIENCY MOTION TO PROCEED CLOTURE MOTION**

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion which the clerk will state.

The bill clerk read as follows:

**CLOTURE MOTION**

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to the consideration of H.R. 776, an act to provide for improved energy efficiency:

J. Bennett Johnston, David L. Boren, Alan Cranston, Fritz Hollings, Bob Kerrey, Robert Byrd, Howell Heflin, John Breaux, George Mitchell, Howard M. Metzenbaum, J. Lieberman, Joe Biden, Frank R. Lautenberg, Jim Sasser, Slade Gorton, Warren B. Rudman, Phil Gramm, Connie Mack, Jake Garn, Frank H. Murkowski.

**CALL OF THE ROLL**

The PRESIDING OFFICER. By unanimous consent, the quorum call has been waived.

**VOTE**

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 776, the Comprehensive National Energy Act, shall be brought to a close?

The yeas and nays are required. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Tennessee [Mr. GORE], are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Florida [Mr. MACK], is necessarily absent.

I further announce that the Senator from North Carolina [Mr. HELMS], is absent due to illness.

I further announce that, if present and voting, the Senator from North Carolina [Mr. HELMS], would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 93, nays 3, as follows:

[Rollcall Vote No. 154 Leg.]

**YEAS—93**

Adams	Bryan	D'Amato
Akaka	Bumpers	Danforth
Baucus	Burns	Daschle
Bentsen	Byrd	DeConcini
Biden	Chafee	Dixon
Bingaman	Coats	Dodd
Bond	Cochran	Dole
Boren	Cohen	Domenici
Bradley	Conrad	Exon
Breaux	Craig	Ford
Brown	Cranston	Fowler

Garn	Leahy	Robb
Glenn	Levin	Rockefeller
Gorton	Lieberman	Roth
Graham	Lott	Rudman
Gramm	Lugar	Sanford
Grassley	McCain	Sarbanes
Harkin	McConnell	Sasser
Hatch	Metzenbaum	Seymour
Hatfield	Mikulski	Shelby
Heflin	Mitchell	Simon
Hollings	Moynihan	Simpson
Inouye	Murkowski	Specter
Johnston	Nickles	Stevens
Kassebaum	Nunn	Symms
Kasten	Packwood	Thurmond
Kennedy	Pell	Wallop
Kerrey	Pressler	Warner
Kerry	Pryor	Wellstone
Kohl	Reid	Wirth
Lautenberg	Riegle	Wofford

**NAYS—3**

Durenberger Jeffords Smith

**NOT VOTING—4**

Burdick Helms  
Gore Mack

The PRESIDING OFFICER. On this question the yeas are 93 the nays are 3. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT**

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Under the previous order, notwithstanding the outcome of the previous vote, the Senate remains on H.R. 5487, the agriculture appropriations bill.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. JOHNSTON. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. BUMPERS. I am happy to yield.

**ORDER OF PROCEDURE**

Mr. JOHNSTON. Mr. President, I ask unanimous consent that I be permitted to propound a question to the majority leader about the energy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSTON. Mr. President, with the concurrence of the majority leader, I would like to suggest that he or I make a unanimous-consent request.

Since he now has concurred, I ask unanimous consent that the 30 hours available to the Senate to debate the motion to take up—now that cloture has been invoked—be dispensed with so that, when we finish this bill, we go directly to the energy bill rather than have 30 hours of debate.

The PRESIDING OFFICER. Is there objection?

Mr. WALLOP. Mr. President, reserving the right to object, and I shall not object. I want my chairman to know that there is a certain minor unravel that is taking place in the agreement we thought we had. It will, as I prom-

ised with the others, be resolved, but should it not be—rather than use 30 hours now, we will start the process over, should that take place. I just want the Senator from Louisiana to understand that. I do intend to see what I perceive to be the agreement accommodated before ultimately we have the opportunity to complete action on this bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana that 30 hours be dispensed with?

Without objection, it is so ordered.

**UNANIMOUS-CONSENT REQUEST**

Mr. JOHNSTON. Mr. President, I have a further unanimous-consent request which, if the Senator will listen, I think might be suitable to him.

I ask unanimous consent that the only amendments that would be in order on this bill, when taken up, would be a Bradley amendment on alternative minimum tax, with a time agreement of 1 hour, with any second-degree amendments to be limited to 30 minutes and to be germane; a Rockefeller amendment, with only germane second-degree amendments, but with no time limit; and that upon disposal of those two amendments, we proceed immediately to third reading and final passage, without intervening motions or delays.

The PRESIDING OFFICER. Is there objection?

Mr. SYMMS. Mr. President, reserving the right to object, I would like to add to that list a Symms-Graham from Florida amendment, 2 hours equally divided, regarding the cap on tax-free revenue bonds for the high speed rail.

Mr. JOHNSTON. Mr. President, I would accept that. I think that we have the outlines here of an agreement, but I will not propound it at this time. Perhaps in a few minutes we can write it up. We would also need provisions so that the chairman of the committee can propose his amendment, as modified by the committee with provisions for the Rockefeller amendment. But we will put it in writing and propound it in the next few minutes.

Mr. WALLOP. Mr. President, I urge the Senator to move slowly. There is nothing that the Senator from Wyoming would rather do than complete action on this bill, like 3 days ago. But I cannot, in all good conscience, commit that we will be able to clear such a thing in a few minutes. There will be Republicans who will not have heard of this, and I hope they do not, but they may have a desire to offer amendments. So we will require a little time to determine what they may be going to do.

The PRESIDING OFFICER. Does the Senator from Louisiana withdraw his unanimous-consent request?

Mr. JOHNSTON. Yes.

The PRESIDING OFFICER. The unanimous-consent request is withdrawn.

The Senator from Arkansas is recognized.

**AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT**

The Senate continued with the consideration of the bill.

Mr. BUMPERS. Mr. President, I want to say, for the benefit of my colleagues on the floor and those who are listening and watching, I had originally thought we were going to be able to finish this bill in the next hour and a half. Staff has handed me a list of amendments, many of which I have not heard of before. I really do not know how controversial they are going to be, but I will read them off quickly:

A Simon amendment to reduce the market promotion program by \$3.8 million to provide \$1.9 million for a clinical pharmacology program in Illinois; a Levin amendment to provide a million and a half dollars for taxol research; a Brown amendment to eliminate the honey program; a Brown amendment regarding tobacco, and I do not know what that is; a Brown amendment regarding research grants, and I do not know what that is; a McCain amendment regarding unauthorized programs. I think that is an amendment that would strike everything in the bill that has not been authorized in the 1990 farm bill, or other authorizations. A McCain amendment regarding Social Security earnings test which, as you know, he has offered before, and on which a point of order will be raised, and 60 votes will be required to override that. A Smith amendment regarding freeze levels. I do not know what he is freezing. A Domenici amendment regarding the food stamp thrifty food program; a Dole amendment, content unknown; a Graham of Florida amendment regarding reduction of administrative expenses. Finally, I now understand that Senator LEAHY has another amendment.

So unless everybody is here as these amendments are disposed of, and others who want to offer amendments, unless they are here, you can probably expect a rather late evening; because I can tell you that three or four of these amendments will require extensive debate.

I yield the floor.

AMENDMENT NO. 2769

(Purpose: To reduce an appropriation)

Mr. GRAHAM. Mr. President, I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Florida [Mr. GRAHAM], for himself and Mr. PRYOR, proposes an amendment numbered 2769.

Mr. GRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 64, line 14, strike out "\$39,307,000" and insert in lieu thereof "\$37,795,000", and on line 15, strike out "\$30,330,000", and insert in lieu thereof "\$29,163,000", and on line 17, strike out "\$8,977,000", and insert in lieu thereof "\$8,632,000".

Mr. GRAHAM. Mr. President, the amendment which I sent to the desk, and one other that will follow, are consistent with policy adopted earlier today when the Senate voted to hold at current levels the general administration and overhead costs for the Departments of Commerce, Justice, and State.

I want to commend the subcommittee for the outstanding frugality that it has demonstrated in most of the sections of the Department of Agriculture budget. As an example, in the area of the Office of the Assistant Secretary for Administration, this budget purports to hold at the current year's level of funding, \$596,000.

It also does the same—that is, hold to the current year level of funding in the U.S. Department of Agriculture building operation and maintenance, Department of Administration, and the Agricultural Stabilization and Conservation Service. In those areas, the recommendation for fiscal year 1993 is at, or in some instances below, the current year's level of funding.

The two areas in which I am proposing amendments in order to achieve the same objectives are, first, in the area of rural electrification. I draw to the attention of my colleagues, page 64 of the bill. I will note, beginning on line 14, that the number which had been recommended by the House, which for this particular account was \$39.795 million, has been struck and the Senate has inserted \$39.307 million. The figure which is in the original House print, Mr. President, is fiscal year 1992 funding level—that is, the House has already adopted the principle for REA, of holding for purposes of its administrative overhead at the current level of funding. The Senate has recommended a slight increase.

The amendment which is before the Senate now would provide for a substitution of the current level of funding for the overhead and general administration of the REA, consistent with the policy we have adopted for three other agencies, and consistent with the policy which was followed in most of the agencies of the Department of Agriculture.

I offer this amendment on behalf of myself and Senator PRYOR. I would be pleased to respond to any questions.

The PRESIDING OFFICER. Who seeks recognition?

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I have not seen this amendment before this very moment. So I would like to engage the Senator in a colloquy if I could and ask, first of all, on page 64, line 14, he strikes out \$39 million-plus, and inserts \$37 million-plus for a savings of roughly \$1.5 million. Is that the administrative expense the Senator is trying to save?

Mr. GRAHAM. Yes.

Mr. BUMPERS. In what category, what program?

Mr. GRAHAM. This is in the category of the salaries and expenses under the general administration of the Rural Electrification Authority. Apparently the funding for this agency comes from various areas, one of which is under an area of general appropriations. It is that area which is the subject of the amendment on line 14. Another component which begins on line 15 is derived by transfer of the rural electrification and telephone loans program account and another amount beginning on—

Mr. BUMPERS. How much do we save on line 15?

Mr. GRAHAM. On line 15, we save the difference between \$30,333,000, and \$29,163,000, or approximately \$1.15 million.

Mr. BUMPERS. Is that the difference between \$30,333,000 and \$29,163,000?

Mr. GRAHAM. It is done standing on my feet, Mr. President. It is approximately a difference of slightly less than \$1.2 million.

Mr. BUMPERS. The Senator has another small savings of roughly \$340,000 on line 17. What is that?

Mr. GRAHAM. Yes. That is the amount which is derived from transfer of the rural telephone bank program account. Apparently the way this agency is financed is it receives funds for its general overhead from at least those three accounts.

I point out again that all of the numbers which I am proposing are exactly the numbers that were made available for the current fiscal year and are the same numbers which were recommended by the House of Representatives.

Mr. BUMPERS. Are all of these figures in the House bill?

Mr. GRAHAM. All of these figures are in the House bill. This amendment will be making the Senate bill conform to the House bill.

Mr. BUMPERS. As the Senator knows, I have been the prestigious chairman of this subcommittee exactly 1 week, so I am not in a position to argue strongly with the Senator about this. But I will read the Senator—if he will give me his attention a moment—the committee report which was drafted when Senator BURDICK was here and the subcommittee was marking up this bill.

The committee notes that the REA is not acting on applications for the telephone and

electric programs in a timely manner. Part of that problem alleged is shortage of staff resources. Therefore, an increase to the 1992 level for salaries and expenses is provided. The committee directs the Department to process applications quickly in order to meet the minimum loan levels established and to exceed those minimums up to the established maximum so that the resources are made available to rural America in a timely manner.

I do not know who is right. As I say, I just came on the scene, and the Senator may be justified in going to the House numbers. As the Senator knows the House number has a cut in their figures. They cut to the 1992 level, this year, and is that what the Senator is doing?

Mr. GRAHAM. Precisely.

Mr. BUMPERS. He is saying there should be no increase in these three programs for 1993?

Mr. GRAHAM. In the same way the committee has already made the same judgment for programs such as the Department of Administration, the Agricultural Stabilization and Conservation Service, the buildings operation and maintenance, and the Assistant Secretary for Administration, all of which were held at or below current levels of funding.

Mr. BUMPERS. First, even the President requested more for this budget than the Senator is providing. I am not saying that is sacred. But I am making the point the Senator is cutting below the Presidential request and going to the House level that had already cut what the President requested?

Mr. GRAHAM. I will point that in the action that we took earlier today we cut substantially below. We had already with the actions taken by Senator HOLLINGS and Senator RUDMAN cut the Department of Commerce, the Department of Justice, and the Department of State in those cases below what the President recommended. The policy, however, that was adopted was one that insofar as the general administration overhead is concerned they should be held to the 1992 levels of funding, and the rationale for that is that every study that has looked at how to bring greater efficiency and productivity into the Federal Government, every study that has suggested a road map for the reduction of the Federal budget deficit, has had as one of its first steps the reduction of overhead.

Governor Clinton has recommended an across-the-board 3-percent cut in every Federal agency. He has recommended 100,000 personnel terminations in the bureaucracy. If we are going to focus our direction I think this is a good time to start.

Mr. BUMPERS. The Senator does not want to preempt this dynamite issue from Governor Clinton, does he?

Mr. GRAHAM. No. I want to show Governor Clinton that we seriously support his economic leadership, which

happens in this case to be consistent with the direction which President Bush has also stated that he feels that we should take and that is dealing with the Federal budget deficit primarily by spending reductions. If this is not the place to start, where is the place to start?

Mr. BUMPERS. The Senator has warmed the cockles of every heart, including this Senator, when he is cutting administrative expenses, particularly when I am not in a position to know precisely whether this subcommittee's increases were justified or not. I will say this: REA is very big in my State, and they have not contacted me about this. Does the Senator have a big presence in REA?

Mr. GRAHAM. REA is a major provider of services in my State. I am a great admirer of what they have done. I believe, however, that the central office can operate in 1993 on the same funds it operated on in 1992. This will be a challenge to it to seek out areas of greater efficiency and productivity.

Mr. BUMPERS. I say to the Senator, I am willing to accept the amendment. I will defer to my distinguished ranking member, Senator COCHRAN, for any comments he may have. This is not a big cut and perhaps it is very legitimate. If it is, I would love not only to accept it but stick with it in the conference. Of course, this puts the House and the Senate together but, as the Senator knows in conference any thing can happen. So, with that, I am willing to accept that.

I was not at the hearing when REA testified. And I have not had any mail from people who said REA is behind, they are not dealing with these things in a timely manner, as the committee report says, but I assume the committee report is reflecting the current situation. So between now and the time we go to conference with the House, it will give us a little chance to look into it and see whether or not this is justified. I divinely hope the Senator is right and I hope I can support him in the conference.

Mr. GRAHAM. I thank the Senator.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I sympathize with the effort to reduce unnecessary spending and try to make our programs more efficient, to eliminate waste and unnecessary funds from the Federal budget. There is no time that I can remember since I have been in the Senate, and in the other body, that we needed to look with greater scrutiny at the provisions of all bills, appropriations bills, and legislative bills that authorize spending.

But in this particular account, the committee attempted to deal with a real live problem that affects the ability of an agency to perform its duties as required by law, laws passed by Congress, laws that reflect the legitimate

interests and needs of people who live in small towns and rural communities throughout this country.

The REA is not just some bureaucracy over there that is churning out money and throwing it on the ground or wasting funds. The REA loans money so that people who do not have electricity in their houses can have electricity, and they can have utility bills that they can afford to pay. Reasonably priced electricity in rural communities is a matter of national policy in our country. There has been a difficult problem, because the REA has not been given the money it needs to hire staff to process loans, to make these funds available to rural cooperatives so that they could extend lines and generate more electric power to provide for the needs in those communities that are eligible for these programs.

The administration recognized the problem. And when they send the budget up here this year, they wanted to do something about the shortfall in funding and the problem not having adequate staff to deal with the mandates imposed on this agency.

The administration requested \$32,822,000 for the salaries and expense account for electric and telephone loans. That is in the category by transfer. The amendment of the distinguished Senator from Florida would not only do away with the modest increase that was provided by this committee over and above the amount approved by the House committee, but it would reduce the funding by almost \$4 million below the amount requested by the administration.

And as the distinguished Senator from Arkansas is having to do, I am calculating here without the benefit of any rehearsal. I am looking at the numbers and trying to describe the practical impact of the Senator's amendment. It is a substantial reduction in funding below the sum requested by the administration.

I am convinced, if we do not provide the funds that we have in the Senate bill, that you are building in a necessity for a supplementary appropriations later in the year to try to make up for the deficiencies that are created by the adoption of this amendment.

Let me point out to the Senate one practical problem. If we adopt this amendment offered by the Senator from Florida, it will not be subject to modification in conference. What he is doing is trying to make the Senate numbers exactly as they are in the House bill so they will not be subject to conference.

If we wanted to just turn over all the appropriations decisions to the House of Representatives, that is the way we would appropriate in every account in the bill and every other bill before the Senate. As a matter of fact, that may be what the Senator wants to do, just

put the Senate out of business in the appropriations process and turn it over to the House.

I am seriously worried that if we permit the House funding levels to stand, we are going to make a bad problem worse.

The distinguished Senator from Arkansas read the provisions of the committee report that has been developed to try to explain what the problem is. The problem is a backlog of loan applications for telephone consumer loans, for REA electric distribution loans. That is the problem.

Now the Senator from Florida says, "We don't have a problem." Or, "If that is a problem, I don't care. We are not going to respond to the problem. We are going to ignore it." Or, "We are going to come in and set an example in this one agency and reduce funding way below what the administration says is necessary to deal with the problem and make it the same, unresponsive amount that the House provides in its bill."

I hope we will not agree to this amendment.

The REA Program is one that has meant a great deal to the people who live in my State of Mississippi. I can remember when we did not have electricity or telephone services in a large part of our State. And when we did see the REA come into being and provide electric utility service, it changed life in rural Mississippi and rural America as nothing in my memory ever has.

Those days are days of history. But many of the problems of providing rural electric service are the same today as they were 40 years ago. It is more expensive to string wire when you have a density of population of only one family every half mile or so. And, in North Dakota, South Dakota, the Great Plains area, the expense is even greater than that, and the density is even more dramatic in its differences between those areas and urban areas of a State like Florida.

The fact is, that is why the Federal Government is providing assistance in the construction of electric power lines and generating plants that are necessary to provide this service where it otherwise would not be available. Your investor-owned utilities are not going to provide that service. They are not going to do it because it does not generate a profit. It is a money loser, because the people cannot afford to pay the actual costs of stringing wire, setting poles, doing the things you have to do, servicing and maintaining the lines in these rural and less densely populated areas of our country.

I am not going to be a party to turning our back on the people that live out there in those small towns and rural communities that get service from the REA. If we are going to emasculate the bill and pick out this place to do it, I am going to resist it, and I hope the Senate will reject it.

I hope Senators who are aware of the fact that this amendment has been offered by the Senator from Florida and his and my friend from Arkansas, Mr. PRYOR, will take another look at what they are asking the Senate to do. It may sound like a little bit of money, but it is just another step in the erosion of the ability of the REA to do what Congress has asked it to do.

I think enough is enough. The House cut these numbers. I do not think the Senate should cut them, too.

The Senator cannot have it both ways. He is complaining about the administration's economic policies and saying that he would like to help candidate Clinton get an early start in keeping a campaign promise.

Well, if this is the kind of promise they are making, I do not think people in rural America are going to appreciate it. If they file an application and try to get assistance for an REA loan and find out there is nobody up here to process the loan, they are going to want to know why. Well, I will be among those telling them why if this amendment is agreed to.

I intend to move to table the amendment after people have gotten through talking about it. I hope the Senate will sustain the motion to table this amendment. This is something that just should not be approved on this bill.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER (Mr. AKAKA). The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, to respond to some of the comments of my good friend from Mississippi, there is no intention here to abrogate the important role which the Senate plays in setting national spending policy.

The position which I am taking, and will attempt to take on a consistent basis, is that in these general administration overhead accounts, we should freeze at the 1992 level. It happens that that is a policy which quite coincidentally has already been adopted by the House of Representatives.

It is not that that is driving this decision. It is the fact that we are facing a \$400 billion deficit. Remember that every one of these dollars that we appropriate, we are going to finance three of them through current year revenue, and we are going to add the fourth dollar to the national deficit.

I think that is intolerable. I think it is a breach of faith of our generation to the next generation. And, therefore, in this small way, I want to demonstrate that this Senate, this Congress, is prepared to start the very difficult process.

If we are not willing to cut this minuscule amount out of these programs, not to devastate them but to hold them to the level of funding that they are currently operating upon, where in the world are we going to get the credibil-

ity to make the much more difficult decisions that are going to be down the road if we are serious about bringing this Federal budget deficit under control?

The fact is, Mr. President—and I would ask the Senator from Mississippi if he has different information that I do—according to the report which I have received, the 1993 budget explanatory notes for the Committee on Appropriations by the U.S. Department of Agriculture, on page 12-4, it states, that the President had recommended for the administration of this agency, I say to the Senator, the President's recommendation was \$32,822,000. That same number appears on page 110 of the committee report.

Now, the President apparently had also recommended that fees be collected on new RTB—which I assume is the rural telephone account—loans, which will be used to offset administrative expenses.

So what apparently the administration has done is recommend that a new level of fees be added, but that the direct appropriations from the general Treasury be at the level of \$32,822,000. That figure, of course, is substantially below the figure which is contained in this amendment, which is \$37,795,000.

So, Mr. President, we are attempting here to apply a consistent policy. We are not proposing to adversely affect the REA's. Most of the REA's operation is not in Washington, thank goodness; most of it is out in the Glade counties and the Jackson counties and the Walton counties of America, serving the people.

What we are talking about here are those persons here in Washington who provide the overhead and general support to the Washington bureaucracy of the REA. We are appropriating, to the overall REA accounts, a substantial increase—according to the information that I have—over what we have done in the past in terms of funding for 1992, as opposed to 1993, for the basic loan subsidies and loan authorizations which are the essence of the REA activity.

But what we are focusing on here today is the general administration and overhead.

Again, I say if we are not willing to take this minor step toward fiscal prudence, where are we going to take that step?

Mr. COCHRAN. Mr. President, has the Senator concluded his remarks? Has he yielded the floor?

Mr. GRAHAM. I yield the floor.

Mr. COCHRAN. Mr. President, I do not want to cut debate off prematurely, but I see no other Senators on the floor wishing to debate.

It is my intention, as previously stated, to move to table the amendment of the Senator. But I do not want to do that if he has anything further to say on the amendment.

Hearing no request for debate, I move to table the amendment of the Senator from Florida.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the amendment of the Senator from Florida.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. PRYOR (when his name was called). Present.

Mr. FORD. I announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Tennessee [Mr. GORE] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Florida [Mr. MACK] is necessarily absent.

I further announce that the Senator from North Carolina [Mr. HELMS] is absent due to illness.

I further announce that, if present and voting, the Senator from North Carolina [Mr. HELMS] would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 54, nays 41, as follows:

[Rollcall Vote No. 155 Leg.]

YEAS—54

Adams	Ford	Mitchell
Akaka	Garn	Murkowski
Baucus	Gorton	Nunn
Bingaman	Gramm	Packwood
Boren	Hatch	Pressler
Breaux	Hatfield	Reld
Bumpers	Heflin	Riegle
Burns	Hollings	Rudman
Byrd	Inouye	Sanford
Cochran	Jeffords	Sarbanes
Conrad	Johnston	Sasser
Craig	Kassebaum	Shelby
Daschle	Kasten	Specter
DeConcini	Kennedy	Stevens
Dole	Leahy	Symms
Domenici	Lott	Thurmond
Durenberger	McConnell	Wallop
Exon	Mikulski	Wellstone

NAYS—41

Bentsen	Fowler	Moynihan
Biden	Glenn	Nickles
Bond	Graham	Pell
Bradley	Grassley	Robb
Brown	Harkin	Rockefeller
Bryan	Kerrey	Roth
Chafee	Kerry	Seymour
Coats	Kohl	Simon
Cohen	Lautenberg	Simpson
Cranston	Levin	Smith
D'Amato	Lieberman	Warner
Danforth	Lugar	Wirth
Dixon	McCain	Wofford
Dodd	Metzenbaum	

ANSWERED "PRESENT"—1

Pryor

NOT VOTING—4

Burdick	Helms
Gore	Mack

So the motion to lay on the table the amendment (No. 2769) was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

ORDER OF PROCEDURE

Mr. BUMPERS. Mr. President, on behalf of my distinguished colleague and ranking member, Senator COCHRAN, and myself, I will propound a unanimous-consent request, not a time agreement but a unanimous-consent agreement, to limit further amendments. So, therefore, I ask unanimous consent that the following amendments be in order to this bill:

One, an amendment by Senator SIMON to reduce the Market Promotion Program \$3.8 million in order to provide \$1.9 million for the FDA Clinical Pharmacology Program; an amendment by Senator LEVIN to provide \$1.5 million for research; an amendment by Senator BROWN to eliminate the Honey Program; an amendment by Senator BROWN regarding tobacco—I do not know the text of the amendment; an amendment by Senator BROWN regarding research grants; an amendment by Senator MCCAIN regarding unauthorized programs; an amendment by Senator MCCAIN regarding Social Security earnings test; and a second-degree amendment to the McCain amendment by Senator BENTSEN; an amendment by Senator SMITH regarding freeze levels; an amendment by Senator DOMENICI regarding the Food Stamp Thrifty Food Program; an amendment by Senator DOLE to add \$400,000 to the Rural Development Grant Program; an amendment by Senator LEAHY to add \$400,000 to the Rural Development Grant Program; and finally, an amendment by Senator GRAHAM, of Florida, regarding the reduction of the administrative expenses, unless this is the amendment he just offered; and an amendment by Senator HARKIN regarding travel expenses of the Department of Agriculture.

Mr. MCCAIN. Reserving the right to object—I will not object—I would like to correct the information concerning my earnings test amendment, that it would be in the form of a resolution, not an amendment.

Mr. BUMPERS. It is a sense-of-the-Senate resolution?

Mr. MCCAIN. Yes. I ask that that be made in order.

Mr. COCHRAN. Mr. President, reserving the right to object, I understand that there are two other amendments that may be offered by Senators on this side of the aisle, one amendment by the distinguished Senator from Utah [Mr. HATCH] relating to the Food and Drug Administration, and an amendment to be offered by Senator SIMPSON relating to an REA study. I am further advised that there may be other amendments that the Senators are planning to offer that have not

been described to us for inclusion in this agreement.

Let me just suggest that the Senator withhold asking unanimous consent that these be the only amendments in order, but rather suggest to Senators that, if any other Senators do have amendments, please let us know forthwith because we would like to enter into an agreement here to limit the number of amendments that would be in order to the bill so we can complete action in a timely fashion.

I make that as a suggestion.

Mr. BUMPERS. Mr. President, I withdraw my unanimous-consent request. I request that staff on this side run a hot line suggesting that amendments that are not on the list I just mentioned—if anybody has not informed us of an amendment, that they let us know within 30 minutes. I suggest that they do likewise on the Republican side of the aisle. If that is not sufficient—I want to cooperate. I know how these bills go. These amendments will just keep coming in here if we do not get some finality with this. I hope within the next 30 minutes on both sides of the aisle we can run a hot line and propound this request again.

With that, I wonder if the Senator from Arizona would be willing to enter into a time agreement on his amendment.

Mr. MCCAIN. I will be more than happy to.

Mr. BUMPERS. Will the Senator make the suggestion?

Mr. MCCAIN. I will make a suggestion. I ask my colleague how much time he would need on this amendment. Seven minutes, equally divided, would be sufficient?

Mr. BUMPERS. An hour equally divided?

Mr. MCCAIN. Yes.

Mr. BUMPERS. I defer to my colleague from Texas, who will be on the other side of this amendment.

Mr. BENTSEN. I say to the distinguished manager of the bill, my friend from Arizona, that would be agreeable. I want an hour for the second-degree amendment, also.

Mr. BUMPERS. Mr. President, I ask unanimous consent that on the McCain amendment, the sense-of-the-Senate resolution regarding earnings limitations on Social Security recipients, there be 1 hour equally divided between the Senator from Arizona and the Senator from Texas and, at the conclusion of that time or at such time when both Senators yield the remainder of their time, the Senator from Texas be recognized to offer his second-degree amendment to that, on which there be one hour equally divided between Senator MCCAIN and his designees, and the Senator from Texas and his designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized, Mr. MCCAIN.

Mr. MCCAIN. Mr. President, before I propose my amendment, I want to make a statement concerning the bill before us, and then I will be proposing my amendment. It is my understanding that, under the unanimous-consent agreement, at that time the clock will start running on both sides. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. MCCAIN. Mr. President, at this time I believe we should turn our attention to the rules of the Senate, and I especially point out rule XVI.

As I am sure my colleagues all know well, rule XVI governs the appropriations bills and amendments to general appropriations bills. Many of my colleagues have claimed that the rules of the Senate are sufficient to control the budget appropriations process. I believe the appropriations system is broken. The public also shares this belief, and I believe something must be done to correct it.

The solution I have advocated is to give the President the line-item veto. The line-item veto would allow the President to eliminate wasteful, unneeded expenses from the budget. Unfortunately, the Senate has not seen fit to pass this much-needed legislation.

Let me point out, as a passing note of interest, that yesterday's Los Angeles Times reports that Democratic Party nominee for President Bill Clinton stated, "I am a Democrat who believes in the line-item veto." I hope that Members of the Senate here on both sides of the aisle will be swayed by his very persuasive argument, particularly given his experience as a Governor of a State.

Nevertheless, during debate on this subject, some of my colleagues voted against the line item veto on the grounds that the rules of the Senate were sufficient to curb wasteful spending.

On February 22, 1992, my esteemed colleague and good friend, Senator HATFIELD, stated in reference to the line-item vote:

I suggest that the advocates of this proposal take better advantage of the existing rules and procedures of the Senate to advance their cause. Senators can exercise their rights under the rules to take all the time they want to examine bills and reports, raise objections, offer amendments and round up votes.

More specifically, the distinguished chairman of the Appropriations Committee, an acknowledged master of the Senate rules, stated on May 5, 1992:

Also, Madam President, paragraph 7 of Senate Rule XVI requires that committees' reports on general appropriations bills identify each committee amendment to the House bill which proposes an item, or appropriation which is not made to carry out the

provisions of an existing law, and stipulates an act or resolution previously passed by the Senate during that session of the Appropriations Committee. Reports are required to comply with paragraph 7, Rule XVI. In so doing, committee reports on all 13 regular appropriations bills identify unauthorized appropriations. And the Members of the Senate are then able to determine for themselves whether to offer amendments to modify or subtract such unauthorized items for each appropriation bill.

The Senator went on to state:

Now I can call these things to the attention of Senators because, apparently, Senators are not aware of them. Senators need only to be on this floor when the appropriations bills come before the Senate, and if those Senators will look at the committee reports and study the bill, those Senators will be able to offer amendments, if they wish to do so, to strike any item that is not previously authorized. That is a Senator's right. But a Senator should not sleep on his rights and then claim that these things are slipped by and that Senators did not have an opportunity to know what is in the bill, and that these items that are not authorized are passed.

I have, as always, listened closely to the Senator's remarks and have decided to take them to heart. Mr. President, I want my colleagues to be aware that I intend to see to it that rule XVI is vigorously enforced. In particular, I intend to see to it that paragraph 7 of rule XVI is enforced in an effort to eliminate wasteful spending. For my colleagues' information, rule XVI, paragraph 7 states:

Every report on general appropriations bills filed by the Committee on Appropriations shall identify with particularity each recommended amendment which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

In the Commerce, State, Justice appropriations bill, which the Senate just passed, there is over \$10 billion of unauthorized spending. Some of the unauthorized spending is noted in title VI of Senate Report 101-331. I must challenge the claim that all unauthorized appropriations were both identified, and identified with particularity. According to the report, "Portions of the Office of Justice programs are unauthorized."

Well, what portion of the \$669,729,000 recommended by the committee is unauthorized? Is the Justice Assistance Program unauthorized? Are funds for the Public Safety Officers' Benefits Programs unauthorized? What portions, Mr. President, of the Office of Justice Programs are indeed unauthorized?

Surely, the Appropriations Committee and its able staff could identify those portions with particularity. It seems evident to me that a rule XVI point of order would have brought this legislation down.

In February of this year, Mr. President, the chairman of the Budget Com-

mittee told this body that our budgetary process is not broken to the point that it needs a reform like the line-item veto. He stated:

There was an old saying that was popular around here a few years ago that went something like this, and in the vernacular it was: "If it ain't broke, don't fix it."

And this budget process of ours is not broken to the point that needs this sort of Rube Goldberg jury-rig fix which, in my view, would make matters worse and give the people of this country less control over their own affairs than they have presently. The bill previously before us contained over \$10 billion of unauthorized spending out of a total of \$23.6 billion. As I stated earlier, some of the unauthorized spending is identified. Some of it is identified, but not with particularity and, finally, some of it is simply not identified.

The budgetary process, in my view, is broken to the point where a line-item veto is necessary. Mr. President, I did not come to the floor today to bring down any legislation; although I reserve my right to bring a point of order against future appropriations bills. I did come here to show that the process is broken, and that roughly 40 percent of the appropriations in the Commerce, State, Justice appropriations bill, was not authorized.

I hope, as the Senate considers other appropriations bills, that the Appropriations Committee will be more vigilant in complying with rule XVI. I also want to let the majority leader know, and the chairman of the appropriations, that I will seek to object to any waiving of rule 17.5. If I, as an individual Senator, am to be able to analyze the general appropriations bills, they must be available for 2 days, as required by the rules.

I am confident that the able leaders will understand my concerns on this subject and not seek to waive rule 17.5 in the future.

Mr. President, I want to say that I do not see in this present appropriations bill before us egregious violations of rule XVI. What I do see—and I want to point it out—is a \$430,000 appropriation to research turkey osteomyelitis. The report states:

This disease cripples turkeys, causing the birds great suffering and ultimately rendering their meat unfit for consumption. Losses to the disease cost the turkey industry more than \$10 million annually. Yet, the causes and potential cures for this disease remain a mystery.

Mr. President, it is a mystery to me that an industry suffering \$10 million in losses cannot afford to spend their own \$430,000 to research turkey osteomyelitis.

All of us have great sympathy for not only the consumers of the turkeys, but the turkeys themselves. But, frankly, it is a turkey when we are spending \$430,000 of the taxpayers' dollars to do something that industry should be doing.

Mr. President, there is also an additional \$200,000 for locoweed research. I think locoweed is a serious problem for those in the Southwest. Clearly, industry, it seems to me, should be more ready to foot the bill as far as curing the locoweed problem, as opposed to the American taxpayer.

Finally, I note that there is \$140,000 appropriated by the other body for swine research. Clearly, we are talking about pork. But in that case, I do not believe swine research is necessary.

AMENDMENT NO. 2770

(Purpose: To reaffirm the commitment of the Senate to repeal or substantially increase the Social Security earnings test, without raising taxes)

Mr. McCAIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. McCAIN], for himself and Mr. SEYMOUR, proposes an amendment numbered 2770.

Mr. McCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place insert:

The Senate finds that on November 12, 1991, the Senate unanimously adopted an amendment to H.R. 2967, a bill to reauthorize the Older Americans Act of 1965, to repeal the social security earnings test;

The Senate finds that the social security earnings test is the last bastion of age discrimination;

The Senate finds that the seniors who need to work, or choose to work, must forfeit \$1 in social security benefits for every \$3 earned over \$10,200;

The Senate finds that the social security earnings test translates into an effective tax burden of 33 percent, making those individuals who are confronted with the social security earnings test the highest taxed individuals in America;

The Senate finds that the social security earnings test is a major deterrent to those seniors who would like to stay in or return to the work force, and an unfair penalty to those seniors who must go back to work;

The Senate finds that many of our Nation's seniors are going back to work in order to pay for basic expenses such as health care, food, clothing, and shelter because they have no private pension or liquid investments;

The Senate finds that other seniors would choose to stay in the work force, or return to the work force, if they would not face the punitive social security earnings test;

The Senate finds that the social security earnings test costs the United States \$15 billion a year in reduced production;

The Senate finds that eliminating the social security earnings test would save over \$200 million a year in compliance costs for the Social Security Administration; and

The Senate finds that dynamic economic estimates indicate that eliminating the social security earnings test would net as much as \$140 million in extra Federal tax revenue, therefore, taxes do not need to be increased to pay for elimination of the social security earnings test.

The Senate reaffirms its commitment to repeal the social security earnings test or substantially increase the Social Security earnings test, without raising taxes.

Mr. McCAIN. Mr. President, I am offering this amendment in the form of a sense-of-the-Senate resolution, to reaffirm the Senate's support for repeal or substantial increase of the Social Security earnings test, without raising taxes.

Not only am I seeking a reaffirmation of the Senate's commitment to correcting one of the grossest inequities in American society today, but I also am including in this resolution the fact that we do not need to raise taxes in order to accomplish this goal.

Mr. President, I have been through this issue many times, for many years. Last year, on November 12, I thought we had made significant progress, because on November 12 last year—during consideration of the Older Americans Act reauthorization bill—this body adopted, by unanimous vote, my amendment to repeal the Social Security earnings test.

Some in the other body suggested this action was a display of cowardice, but in point of fact it was a vote to eliminate discrimination against our Nation's seniors who must work in order to meet basic expenses.

Mr. President, it might be somewhat curious to the American citizens to know that this onerous tax of approximately one-third of their wages is only leveled on wage earners. If the objective of this tax, Mr. President, was to get at the rich in our society, I could make an argument to you that pensions, trust funds, and all the ways that the very wealthy in our society are able to make money, earnings from stocks, should be subject to this earnings test. But, no. The only people who are subject to this earnings test are the seniors between age 65 and 69 who either voluntarily, or all too often out of necessity, go out and take care of themselves and their families.

Mr. President, we all know the condition of many seniors in America today. Time after time, dramatic stories of senior citizens living on the edge of poverty are told to us in most graphic and disturbing terms. If that man or woman wants to go out and work and earn a wage because of skyrocketing health care costs, generally speaking, at least in my State, then unfortunately they see the most onerous 33 percent tax laid on every single dollar they earn past \$10,200 a year. It is unconscionable. The American people agree, once explained to them—whether young or old. Seniors are outraged over an ancient clause that was put in when Social Security was conceived in order to free up jobs for younger workers which, frankly, I am not prepared to argue was either right or wrong at the time.

The reality of the conditions of seniors in our society today is that many

of them want to work, and they are being deprived of that by this onerous and unconscionable tax which must be and I am convinced over time will be repealed. What's worse is those who have to work.

Mr. President, I think it is also important to point out that I have offered time after time after time to sit down with the chairman of the Finance Committee and with the chairman of the Ways and Means Committee. I have corresponded with the chairman of the Ways and Means Committee and suggested that maybe we could lift this earnings test to something reasonable, like \$40,000 or \$50,000 a year, which would then take in 90 to 95 percent of America's seniors who are suffering under this burden. So far, in all candor, we have received no response. We have heard of no willingness to negotiate. No staff member has asked what our position would be or what we would agree to. So I think it is important to know that before this body and before the other body there will at some time probably be legislation which lifts the earnings test significantly, but also raises taxes on working men and women in America to pay for it. And, Mr. President, this is not necessary.

Mr. President, you can use your judgment as to whether it is necessary to raise taxes on wage earners in order to compensate for the repeal of the Social Security earnings test on the Office of Management and Budget reports or the independent studies and common sense. The Office of Management and Budget, that same illustrious organization that gave us the 1990 budget summit agreement which gave us \$166 billion in taxes and, of course, a burgeoning and overwhelming deficit, tells us that there will be a net loss to the Treasury.

The fact is that everyone knows that these seniors will go out and work and pay taxes. They will be paying taxes, Mr. President. They will be paying taxes on their earnings, and studies we have indicate clearly that this will mean a net increase in revenues into the Federal Government rather than a decrease.

Mr. President, as I say, the Older Americans Act upon which this repeal was placed last November has been stalled. It has not only been stalled, but the House did refuse to appoint conferees. And then in April, the House adopted a proposal to modify the Social Security earnings test, written by the chairman of the Ways and Means Committee, and we still have no final action on the earnings test and on the Older Americans Act reauthorization bill.

Some are arguing that issue is holding the Older Americans Act hostage. The opposite is true. This repeal is being held hostage by the failure of this body and the other body to address an issue which is of great importance to every senior citizen in America.

Mr. President, let me just tell you a small example. I was visited not too long ago by a representative from Disney World in Orlando. This representative and I talked about a number of issues. During the course of our conversation, however, he said, "By the way we find that our best employees are senior citizens and we would love to have more senior citizens work at our facility but, unfortunately, because of the earnings test tax on their Social Security they cannot."

I was visited another time by representatives of several of the fast food chains in America. They also told me that some of their best employees are senior citizens but that senior citizens are dramatically demotivated to work, because of the fact that they face this onerous test.

It is clear that this is an issue of fairness. We need the skill and experience of older Americans. The earnings test is outdated, unjust and clearly discriminatory. And the Senate spoke clearly on November 12 when it adopted my amendment to fully repeal the Social Security earnings test.

As I said, I would be glad to discuss a compromise with anyone who is interested in lifting this onerous penalty, but I clearly believe that we have done enough tax raising on the American people; 56 times in the last 30 years and we have the greatest deficit in history. We do not need to have a tax increase as part of the dramatic modification of the earnings test.

Mr. President, as is known, the Older Americans Act—stripped of the earnings test measure approved of on November 12, was reintroduced in this body and there was a letter from a very impressive list of senior citizen groups that accompanied the reintroduction of this bill. It is interesting that the letter that accompanied the introduction of this bill did not comment on the lifting of the earnings test. In fact, it was silent on that. What it did say was they wanted the Older Americans Act enacted as quickly as possible.

Mr. President, so do I. So do I. I want the Older Americans Act enacted as quickly as possible, too.

Mr. President, at this time, I ask unanimous consent to have printed in the RECORD a letter from the Coalition for Repeal of the Social Security Earnings Test.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COALITION FOR REPEAL OF THE  
SOCIAL SECURITY EARNINGS TEST,  
February 10, 1992.

Hon. JOHN McCAIN,  
U.S. Senate, Russell Senate Office Building,  
Washington, DC.

DEAR SENATOR McCAIN: Congress should move quickly to convene the Conference on the Older Americans Act, including the provisions regarding the elimination of the Social Security Earnings Test which affects millions of older workers.

Although there may be differences between the House and the Senate on the precise action to take regarding the Earnings Test, there is widespread consensus on the need for reform. The best and most appropriate way to resolve these differences is to move to Conference as soon as possible.

The undersigned members of the Coalition for Repeal of the Social Security Earnings Test urge the House leadership to take whatever steps necessary to appoint its conferees and move forward. We understand that this may include a motion to instruct the Conferees to clarify the House position on this issue and that such motion may or may not endorse the Senate's position, which we support, of full repeal.

The Reauthorization of the Older Americans Act and the reform of the Social Security Earnings Test are both important to the welfare of our country's seniors. There is no reason to delay the resolution of either of these important issues.

Sincerely,

MARTHA A. MCSTERN,  
National Committee to Preserve  
Social Security and Medicare.

SUPPORTERS OF THE SOCIAL SECURITY  
EARNINGS TEST, FEBRUARY 10, 1992

The following coalition of senior organizations, businesses and business groups, representing tens of millions of seniors and employees across this country, support efforts to reform the Social Security Earnings Test as part of the Older Americans Act.

Air Force Association.  
Air Force Sergeants Association.  
American Health Care Association.  
Association of United States Army.  
Enlisted Association of the National Guard of the United States.  
Fleet Reserve Association.  
Jewish War Veterans of the U.S.A.  
Marine Corps League.  
Marine Corps Reserve Officers Association.  
National Association for Uniformed Services.  
National Association of Temporary Services.  
National Committee to Preserve Social Security and Medicare.  
National Council of Chain Restaurants.  
National Military Family Association.  
National Restaurant Association.  
National Society of Public Accountants.  
National Tooling & Machining Association.  
Naval Enlisted Reserve Association.  
Naval Reserve Association.  
Navy League of the U.S.  
Sears Roebuck and Company.  
Seniors Coalition.  
The Military Chaplains Association.  
The Retired Enlisted Association.  
The Retired Officers Association.  
The Seniors Cooperative Action Network.  
U.S. Chamber of Commerce.  
U.S. Coast Guard CPO Association.  
U.S. Coast Guard Enlisted Association.  
Walgreens.

Mr. McCAIN. Mr. President, I would briefly quote from it:

Although there may be differences between the House and the Senate on the precise action to take regarding the Earnings Test, there is widespread consensus on the need for reform. The best and most appropriate way to resolve these differences is to move to conference as soon as possible.

The undersigned members of the Coalition for Repeal of the Social Security Earnings Test urge the House leadership to take whatever steps necessary to appoint its conferees and move forward.

Mr. President, I have to say again that those who would believe the Office of Management and Budget that this will somehow increase the deficit are not familiar with the workplace in America. When people work, they pay taxes. And when they pay taxes, the deficit goes down. When there is an overwhelming disincentive for them to work, they do not pay taxes; in fact, the deficit goes up.

Mr. President, I believe that we can lift this earnings test limitation. We can do something which is in fairness, and something which would eliminate discrimination.

Mr. President, I intend, I tell my colleagues, to see this fight through until it is won. And I think that the overwhelming majority of seniors in America support this effort.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. LAUTENBERG). The Senator from Texas.

Mr. BENTSEN. Mr. President, I yield myself 10 minutes.

Mr. President, as Senators know, I strongly support—strongly support—the liberalization of the earnings test. My friend from Arizona has stated there has been no response to the entreaties of those requesting such. Oh, yes, we have responded. Last year I introduced S. 2038, and this year the Finance Committee reported out a bill with the same number. Both bills significantly ease the earnings test. But the big point is that we paid for every penny of the cost to Social Security. And that is the critical point. It is all too easy to take away the earnings test and to have no concern about the trust fund and the security of it. But that is not what the older citizens of this country deserve.

Under the committee bill that we have reported, the earnings test exempt amount would be increased from the current level of \$10,200 to \$21,000 in 1997 and to \$51,000 by the year 2001. The committee pays for all of that cost to Social Security and, in fact, improves on the long-range balance of the trust funds by .06 percent of taxable payroll.

I would like to pass the Finance Committee bill this year to moderate and improve the earnings test. But let there be no doubt about it, I am totally opposed to any earnings test proposal that threatens the security of the Social Security trust fund. I have stated that over and over again on the floor of this body.

The sense-of-the-Senate resolution that is being proposed, if you actually translate it into law, I think would seriously threaten the financial integrity of the Social Security trust fund. Make no mistake about it, a proposal of this kind threatens the safety of that fund.

Mr. President, on April 7, 1992, the Senate adopted my Social Security trust fund protection amendment to the budget resolution by a vote of 94 to

3—by 94 to 3, in this body this year. And by that vote, we established a 60-vote point of order against any amendment to the budget resolution that would reduce the reserves of the Social Security trust fund, demanding responsibility on that.

I take the Senate's action as an overwhelming endorsement of a fundamental principle. If Senators wish to make changes that increase Social Security benefits, then we ought to have the political courage to pay for them.

Mr. President, the CBO estimates that elimination of the earnings test, as suggested by the resolution by the junior Senator from Arizona, would cost the trust funds \$27.4 billion over the next 5 years. That is about what it cost to pay Social Security disability benefits for all of 1991, an entire year's benefits for some of our neediest citizens.

I heard the Senator from Arizona say that unless we eliminated the limits on the earnings test, we ought to take into consideration what people are earning off stocks, bonds, and other investments, not just take it from wages.

Well, if my friend from Arizona feels that so strongly, then I urge him to introduce legislation that will accomplish that. Frankly, I have not seen that done by any Senator.

Last year, the Social Security Administration estimated that the net cost of eliminating the earnings test—that is, the cost after deducting the additional payroll taxes and the revenues from the income tax on benefits that the proposal would produce—that that cost would be \$45.9 billion over the period 1992 through the year 2000. This year, the SSA says that the net costs from 1993 to 2001 are \$46.5 billion. That is the reduction in the trust funds to pay these Social Security benefits.

I know there are a lot of young people who say today, "Well, you know, I really never expect to get those Social Security funds when I reach retirement." If we pass a resolution such as this and enact it finally into law, then their fears will be justified, because you will see those trust funds run down.

Think what has happened in the last two decades. Recall what has happened. The Social Security trust fund was run right up to the brink of insolvency. In 1983, Social Security trust deficits, brought on by an unfavorable economic condition, had almost drawn down the trust funds, completely drawn down their reserves. And, almost at the last minute, the Congress acted to avert the catastrophe and save the Social Security system.

It is imperative that we do nothing to put Social Security again at risk or further weaken public confidence in it. But that is what we would be doing if we were to adopt the program changes advocated by this resolution, changes that would drain the trust funds of

many billions of dollars and make no provisions for replacing them.

Our past experience with the Social Security trust funds should have taught us the importance of erring on the side of safety. There are terrible dangers if we do not. Most experts believe that a trust fund reserve of 150 percent—one that is sufficient to cover 18 months of benefit payments—is the minimum, safe margin that is needed, because you just cannot fully anticipate what is going to happen to the economy, how many people are going to be out of work, how much less is going to be paid into those Social Security trust funds.

The trust funds had only reached a level equal to 96 percent of 1 year's benefits at the beginning of 1992. They are currently not expected to reach the 18-month level before 1996 at the very earliest. Now that is if the economy and other factors affecting the funds perform reasonably well. And we know how often the economists have been wrong in projecting what is going to happen.

As Senators know, our history is replete with examples—some very recent ones—of the economy going into double dip recessions and seeing unemployment, instead of cutting down, as projected by the administration, seeing it climb to new heights, seeing it today at the highest level it has been in the last 9 years.

The 1992 trustees' report released on April 2 is a case in point. In it, we find that last year's conservative or pessimistic estimate of the status of the Social Security disability insurance trust fund has become this year's intermediate estimate of what is most likely to happen to the fund. The trustees now project that the disability fund will be exhausted not in 2015, as was projected last year under the intermediate assumptions, but in 1997, and could be exhausted as early as 3 years from now under the new, so-called pessimistic assumptions.

If this were not trouble enough, the trustees now estimate the combined Social Security trust funds will never—never—reach a safe 18-month reserve level under the conservative assumptions.

What is more, the Social Security trustees tell us the disability insurance trust fund will require more than \$75 billion of additional revenues during the next 10 years just to achieve a reserve level equal to 100 percent of annual benefits. This is what the trustees say is the minimum required for the disability fund to pass their short-range test of financial adequacy.

So, Mr. President, is now the time to endanger the trust funds, to begin adding larger costs to the Social Security program, to be proposing to add very expensive earnings test legislation, without paying for a dime of those costs? I think not.

Mr. President, I know that this amendment asserts that if we simply eliminate the Social Security earnings test, large numbers of elderly retirees will be induced to go into the labor market and will succeed in finding jobs.

Then, so the story goes, the payroll tax and the income tax revenues that they generate will more than offset the cost of the additional Social Security benefit payments made as a result of eliminating that test.

The truth of the matter is that no one knows for sure what the economic effects of eliminating the earnings test will be. However, let us take the views of two objective organizations on that. Both the CBO and the Social Security Administration tell us that most research suggests that the effect on the labor supply and the increase in revenues caused by eliminating the earnings test would be minimal.

Economic analysis suggests that some retirees would begin or increase work effort, but there are others who would decrease their work because their additional Social Security payments benefits would be a substitute for earnings. And a retiree who, by taking a job, precludes someone else from working—and entirely possible outcome in this high unemployment economy—may be making no net additional contribution to Federal revenues.

So, as a result, CBO does not estimate any increase in revenues as a result of the elimination of the test. None. No increase. SSA estimates that the maximum offset caused by administrative savings and additional revenues, including all revenues resulting from a net increase in work effort, will not exceed 10 to 15 percent of the cost of the additional Social Security benefit payments caused by the elimination of the test.

Mr. President, I firmly believe that we have to rely on our principal economic and budgetary advisers on Social Security matters, the CBO and the SSA—rely on what they have to say about Social Security proposals and their effects on costs and revenues. Would that it were otherwise and that we could take off the earnings test without any consideration for the problems of the trust fund itself. But that is not the reality. That is not the case.

Relying on other types of economic advice about Social Security proposals can be misleading and even dangerous. For example, a study several years ago by two economists, entitled "Paying People Not to Work," claimed that eliminating the earnings test would cause at least 700,000 elderly workers to enter the labor force. The study held that this increase in elderly workers with earnings would cause the revenues from taxation of their earnings to more than pay for any increase in Social Security benefits.

The Office of Research and Statistics of the Social Security Administration

carefully examined these contentions. They found that the study had erroneously interpreted the data on which its findings were based. SSA published a paper "ORS Working Paper Series No. 41, January 1990" pointing out this error and demonstrating that the employment and revenue estimates in the study were without foundation.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 17 minutes, approximately, remaining.

Mr. BENTSEN. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. May I inquire how much time I have?

The PRESIDING OFFICER. The Senator from Arizona has 19 minutes, 30 seconds.

Mr. MCCAIN. I yield 7 minutes to the Senator from California and I ask unanimous consent to add Senator KASTEN and Senator D'AMATO as cosponsors to this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from California.

Mr. SEYMOUR. Mr. President, I applaud the Senator from Arizona for being so forthright in his presentation of this resolution. I join him proudly as a cosponsor of this sense-of-the-Senate resolution.

What this is about—it is about a lot of things—but what I think is at the heart of this issue is discrimination. Of all things, this is age discrimination.

Why is it fair? Why is there any equity in the fact that working seniors and working seniors alone should pay a 33.3-percent tax surcharge? That is discriminatory. There should not be discrimination just because you reach the age of 65 and no other considerations. You could be going hungry and be charged with a surtax of 33.3 percent merely because you are 65 years old.

Mr. President, reading in the April 1992 News Magazine For Senior Americans, I would just like to read two paragraphs out of it.

Currently, working seniors, 65 to 69, lose \$1 of Social Security benefits for every \$3 earned over the limit.

That is a 33.3-percent tax surcharge. The article goes on:

Although the limit has been increased over the years—to now \$10,200 in 1992—proponents of repeal contend it is antiquated and keeps seniors, a valuable resource for employers in the economy, from remaining in the work force. When regular taxes are added to the earnings penalty—

That I call a tax surcharge—working seniors face a marginal tax rate of nearly 70 percent. That is more than twice the rate that millionaires pay.

If that is not discrimination, I have never seen it. This is discriminatory and it must be changed. I have only been here about 19 months. The one

thing I have learned very clearly is Government is great, they are fantastic, at creating disincentives. And this clearly is a disincentive to work. We are great at it. We have a welfare program that says do not work; do not work or you will lose your welfare.

In California, my State, Mr. President, a woman with two children is told by our failed welfare program do not work because it will take you over \$14,000 if you work for us not to take your welfare benefits away. Why should she not be able to work, maybe make \$7,000 a year? Why, before she breaks even, does she have to make \$14,000? We need an incentive program.

We have heard a lot of talk in these hallowed Chambers over the last 18 months about economic growth. Once again, Government is great at disincentives. Government says do not invest. If you invest we are going to tax you at this very high capital gains tax rate. So do not invest. The incentive is—it is a disincentive to invest.

We say to Americans: Do not save; do not put that money in an IRA account. If you put that money in an IRA account, if you dare take it for your child's education, for helping a first-time home buyer into the American dream, purchasing a home, or to pay for catastrophic health care costs—if you do that we are going to tax you. So do not do it.

I commend the Senator from Texas for taking the lead on this particular disincentive, in his super IRA legislation. In fact I was with him here on the floor when he introduced it and I was very pleased to hear him say he would make the argument on the super IRA legislation that would permit, without penalty, a withdrawal from IRA accounts to pay for catastrophic health care costs, to pay for college education, to pay for or help a first-time home buyer realize the American dream. He said he would argue before the Senate Finance Committee that this would not cost the taxpayers money, and I applaud him. He is right on that point.

Again, we are great at disincentives. When we go to a research and development tax credit, we say to America do not come up with new, novel ideas by investing into research and development; do not come up with the highest technology you might. The way we say that in the disincentive form is we say, year by year, we will extend it for 1 year. We will give you a research and development tax credit but we are not sure about the next year. Disincentives—we are great at them.

I think we have to put ourselves in the shoes of a senior citizen. My mom and dad are both senior citizens; both of them very, very productive people in their years. I can recall shortly after my dad retired I wanted him to come into my business and help me. I was a businessman for 17 years. Maybe I look at this thing a little bit differently as a result of that experience.

Dad said to me, "Well, if I do and I make above  $x$  dollars, I am going to lose my Social Security."

I said, "But, dad, you have so much to offer. You have all those years of experience in marketing. And my people—and I had about 150 employees—"need to be trained. They need to hear what you have in your mind. You are the best."

Well, he wanted to do that, but mom suggested to him that if things got tight—she was afraid that in losing their Social Security they might not be able to make it. So dad did not do that. Rather, dad—being almost a workaholic, a type A personality, dad did not do well in retirement and shortly afterwards dad had a severe heart attack.

The doctor said it was a matter of the clogging of the arteries. I suspect medically that is correct. But I tell you, psychologically, Mr. President, what was at work was he was not making the contribution he was totally capable of making. It was just taken away from him. Why? Because he reached the magic age of 65.

How much is there to offer those seniors out there in America, whether it is in the classroom, whether it is working for Disneyland, as the Senator from Arizona pointed out? At the twilight of their careers, and many of them have many productive years thereafter—65—I recall the story of Kentucky Fried Chicken. As I recall, the entrepreneur who created Kentucky Fried Chicken started that when he was over the age of 60. Thank goodness for him. God bless him.

But so many seniors have so much to offer, and just at their peak, they say: Oops; you passed the magic number at 65. No longer; we are going to penalize you. You will pay a marginal tax rate of 70 percent. Forget whether or not you use the money to pay some health care costs. Forget the point that you might need these funds to make up for what Social Security is not paying you. You are going to pay the same tax rate as millionaires pay.

So the incentive is to not work.

Let me say, Mr. President, that the argument has been made by the senior Senator from Texas that Social Security will go broke if we do this one. I understand the argument, and he certainly presented some very convincing evidence. But there is also as much evidence on the other side of this question.

I am of a mind—and I guess, again, it is my 17 years of experience in business; owning my own business and running it—I am of a mind when people work and people produce, they pay taxes; they spend money. When they have a little more money in their pockets instead of living from month to month and Social Security check to Social Security check, if they have a few more bucks in their pocket, they

will go out and spend it. In fact, if my mom and dad had that opportunity, they would go out and spend it on their grandkids. I would be happy to see that, since Judy and I have six.

So I am not convinced the numbers we have heard, the doom and gloom we heard preached, is altogether accurate. I saw the CBO report which says it would cost \$5 billion over the next 5 years. But what is not said, Mr. President, is that is based on a static model. That is saying things will continue as they are today. I hope they do not continue as they are today, Mr. President.

The PRESIDING OFFICER. The Senator has used the time allotted to him.

Mr. MCCAIN. Mr. President, I yield 3 more minutes to the Senator from California.

The PRESIDING OFFICER. The Senator may continue.

Mr. SEYMOUR. I thank Senator MCCAIN for the additional time.

I hope, Mr. President, the people go back again. Because when they go to work, they pay taxes, and when they pay taxes, then they do not need the Government programs to help them along. This clearly is an inequity that cries out for correction.

In fact, the CBO, which projects on a static model that would cost \$5 billion, even the CBO says that on a dynamic model, this would pay for itself in 15 years.

Let me go back to the article I quoted from before, and let me tell you about another study. I lift these two paragraphs:

Opponents of repeal contend correcting the problem jeopardizes the solvency of the Social Security trust funds. However, a recent study shows just the opposite. Eliminating the retirement test would certainly generate more in Federal revenues than it would cost in increased benefits, the National Center for Policy Analysis concluded.

And repeal would save the \$50 million to \$100 million per year it costs the Social Security Administration to administer the penalty \* \* \*.

That now exists.

Finally, let me say, relative to cost, Senator MCCAIN has taken care of that. All we need do is read the final paragraph of his sense-of-the-Senate resolution. He says:

The Senate reaffirms its commitment to repeal the Social Security earnings test, or substantially increase the Social Security earnings test, without raising taxes.

And, therefore, if we are going to have to raise taxes—we are not going to have to do this, Mr. President.

I say we can do it without raising taxes.

The PRESIDING OFFICER. The Senator has used the additional 3 minutes allocated to him.

Mr. SEYMOUR. Mr. President, I urge an "aye" vote.

Mr. MOYNIHAN addressed the Chair.

Mr. BENTSEN. Mr. President, I yield 10 minutes to the distinguished Senator from New York.

I do not think there is anyone in this body who has a greater knowledge of the Social Security system, who has been more involved in it in the last 20 years in trying to protect that system to see that those funds are there for the retirees, who has done more than try to bring equity into the administration of it, and who has done more to try to see that those retirees understand what their benefits are and are given information with clarity and promise so they can understand what the future holds for them.

I yield 10 minutes to that distinguished Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. MOYNIHAN. Mr. President, I first thank the chairman of the Finance Committee. I have the honor to be chairman of the Subcommittee on Social Security. I have had his complete support, and he has had mine in these matters. And I rise to say to the Senate: This is a bad proposal which will bring discredit on this body.

Let me be clear about the specifics. Mr. President, there are 1.8 million persons age 65 to 69 who are receiving Social Security retirement benefits and are working. Of these, only 800,000 earn enough to be affected by the \$1 in \$3 reduction. Of those 800,000, only 200,000 earn enough to lose the whole or the maximum benefit.

Mr. President, this is a proposal to give the better part of \$27.4 billion to a little more than 200,000 persons. I have seen some giveaways come to this floor in 16 years, but none as blatant and as irresponsible as this. I would say, Mr. President, that anyone who wants to give \$27.4 billion to 800,000-maximum people—it will roll over a little bit—and has within the last 2 months voted for a constitutional amendment to balance the budget, that person had better beware the editorials at home.

I observe there are four good friends and respected Members of this body who are sponsoring this \$27 billion for 200,000 or more persons. You can reach out and remember the debate in which the issue was: Would you move to cloture and reduce Federal outlays, so that all Social Security benefits would be reduced? They want to reduce them for everybody and raise them for a very few, a very wealthy few. This invites derision, a word that should be used carefully in this body.

The Senator from Arizona spoke of the original purpose of the Social Security Act. Perhaps we can go back to that. In 1935, as Frances Perkins brought it to the Congress, as Senator Robert F. Wagner introduced it in the Senate, it was to be an insured system to provide for the replacement of lost revenue.

There were two principal features. One was unemployment insurance, which is unemployment insurance. If you look at your paycheck, it says

FICA, Federal Insurance Contribution Act. The benefit under retirees was meant to be provided when other income from employment ceased. It was a contributory system, and it was provided from the beginning that if you continued to work a few years later, you would get less of a replacement.

But, Mr. President, every penny lost during that 5-year interval is returned in larger benefits after age 70, whether you work or not. It is a fair system. It impacts a very limited number; on the most part, professional persons who continue to practice law, medicine, or whatever in their later years.

I have to say, I heard a citation from my good friend from California about the impact of this. I say to you, Mr. President, there is not a shred of evidence that there is any work disincentive. This system has been in place for 55 years. There is a regular research journal published from the Social Security Administration that has examined this question upward and down and backward.

They have had 56 years—well, in terms of reaching this; yes, 56 years—to look at this. They have found no evidence.

One of the problems, in the last 15 years—well, the last 12 years—in our finances, the one thing we can point to is the Social Security trust funds.

The one thing we can point to is the Social Security trust funds. They are, as the Senator from Texas said—we went very close to scraping bottom in 1983 with the combination of a sharp recession and a period of inflation. When, for the first time in our history, prices had run ahead of wages, the trust funds went down.

BOB DOLE came on this floor and said, on the day the Congress came back into session in 1983, "We can do this. We can work this out. Let us do it." He and I met a day later in his offices, and in 3 weeks' time, the legislation was on this floor.

It is in place. Trust funds rise at \$1.5 billion a week. Combined—taking the alternative 2B as we say, the moderately conservative estimate—by the year 2001, the OASI and DI, disability benefits will be at 200 percent of annual outlays, a surplus.

But if we cannot maintain a surplus, well, then, maybe we do need a constitutional amendment, if we cannot say, yes, we are in balance and we are in surplus and that is a good thing, and we will keep it that way; we will not find a very small number of persons, professional persons, donors, letter writers, important and respected persons, we will not find \$27 billion to give to them because we happen to have it at hand. That is a trust fund and we respect it as such.

Mr. President, this is a test of character for this body. Anybody who comes to this floor having voted for a constitutional amendment to balance

the budget and simultaneously votes to give \$27 billion to 800,000 people has something to explain. I do not know that it is easily understood. I can imagine the questions being asked. This is not something we need to do. These are not persons in need. By definition, they are persons with adequate or more than adequate incomes. Characteristically, they will have very high levels of income.

Why do we pay Social Security benefits to such persons? We pay it because it is a contributory retirement benefit program. You get it because you paid for it, not because you need it or deserve it or want it. And we are seeing that principle erode. This Presidential year has been a disaster for Franklin D. Roosevelt's idea of a system in which you paid in contributions, had an account, numbered account, named account, and back came, according to an agreed-upon statutory formula, a return in a balanced system.

I read in this week's Time magazine an essay by a very able commentator, Michael Kramer, who says:

Cowardice continues to dominate discussions about cutting Social Security and Medicare. Everyone knows the deficit will remain unmanageable until these programs are tripped.

What is at issue in this vote is the principle of an earned benefit following a lifetime of contributions. Also, what is at stake is our capacity as a body not to give away money just because we have it. And, three, the genuine commitment of persons who voted for a balanced budget amendment and who might come to the floor 4 weeks later and propose to give \$27 billion to 800,000 persons.

I thank my very distinguished chairman and friend allowing me this time. Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Arizona has 7 minutes, 45 seconds.

Mr. McCAIN. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I was, if I heard the Senator from New York correctly, astounded. He said this is not for persons in need. Not for persons in need. I received a letter not long ago—I receive many of them—that stated:

Senator, I'm under a heavy financial load trying to maintain a house I got through divorce. I get no help. I am alone. All of my major appliances, over 20 years old, have been going out on me one by one. For the first time in my life I made \$6,000 a year, and I am barely over the minimum wage. I will be 69 this year. My Social Security check is so small I can't retire, plus they are holding back my money.

Mr. President, I invite the Senator from New York to come with me to Sun City, AZ, where there is a couple and one spouse is suffering from Alzheimer's. They are having to spend

down their assets, and the remaining spouse is having to go to work. That story is repeated all over America, I say to the Senator from New York.

Yes, this vote is a test of character. This is a test of character as to whether or not we want to discriminate against seniors in this country. That is the test of character on which this vote is all about.

I remind my colleagues that we are reaffirming—I repeat, reaffirming—a vote already taken by the Senate. It was a unanimous vote on my amendment on November 12 that would repeal the Social Security earnings test. This is not a new amendment.

I find it of interest that the Ways and Means Committee proposal also lift the Social Security earnings test without an accompanying increase in taxes.

Mr. President, without trying to get personal, I have to quote from another letter I received. This person wrote me and she says:

House Democratic leaders argue that an earnings limit repeal is too costly and would primarily benefit the wealthy. Come on now, who are they kidding? The wealthy already benefit from the present Social Security plan in gross discrimination against those of us who must continue working. The wealthy can receive all the money they want up to hundreds of thousands of dollars from stock, bond, and coupon clipping, but because they are not "working" they do not receive a cut in their Social Security receipts.

No, I say to my colleague from Texas, I am not interested in adding taxes on those people, and I am sorry if he understood that I did. I want a level playing field. I want none of them to be subject to this onerous tax. But I suggest to the chairman of the Finance Committee there are Members in this body who have trust funds of millions of dollars from which they receive and will continue to receive lots of money, and they are not subject to any earnings test.

The fact is that the American people are different, the people who find themselves in a situation where they have to go out and work in their declining years, or even choose to, are subject to an onerous test.

Mr. President, I guess this gets down to the basic philosophy of whether you believe that raising taxes increases revenues or whether you believe that lowering taxes increases revenues.

Mr. President, I think history is on my side. Fifty-seven times in the last 30 years we have raised taxes on the American people and the deficit is \$4 trillion. So let us keep this tax in and cause more and more people not to work.

Now, there are several studies, one of which I will quote from a study by the Institute for Policy Innovation and the National Center for Policy Analysis. It states unequivocally that we would, indeed, see an increase of some \$140 million in Federal revenues. The deficit would go down, not up.

I think it is of the utmost importance to point out, Mr. President, that the Social Security Administration today reports that they spend more than \$200 million a year and use 8 percent of its employees to police the income levels of beneficiaries.

In other words, the Social Security Administration estimates that 60 percent of all overpayments and 45 percent of underpayments are attributable to the earnings limit. So we could eliminate \$200 million in cost if we eliminated the earnings test requirement. That would be income into the Federal budget.

Mr. President, I say again. This is a matter of philosophy. If you agree with raising taxes, are you for increased revenues or keeping existing taxes, and in this case an incredibly discriminatory one in place, or do you believe lowering taxes will stimulate people to enter the work force and thereby reduce the deficit?

Mr. President, I ask unanimous consent to add Senator REID as a cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BENTSEN. Mr. President, in propounding a request to the manager of the appropriations bill, I ask unanimous consent that the time not be charged to either side on the allocation of the time on the amendment of the Senator from Arizona.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. BENTSEN. Mr. President, I ask unanimous consent that the only amendments remaining in order to H.R. 5487, the Agriculture appropriations, be the following list of amendments which I shall shortly read into the record; that they be subject to relevant second-degree amendments; where a time limit is provided on the first-degree amendment, then the second-degree be accorded the same time limitation; with all time controlled in the usual form; that no motion to recommit be in order; further, that on disposition of the listed amendments, the Senate, without any intervening action or debate, proceed to a third reading and final passage of the bill.

The amendments are as follows: Harkin amendment, travel expenses for the USDA; Simon amendment to reduce Marketing Promotion Program \$3.8 million to provide \$1.9 million FDA, the Clinical Pharmacology Program; the Brown amendment which is research programs; Brown amendment eliminating the Honey Program; Brown amendment regarding tobacco; Brown amendment on an information ex-

change to CBO and the OMB; the McCain amendment on unauthorized programs; the Bumpers second-degree to the McCain amendment on unauthorized programs; the Smith amendment to freeze levels; the Domenici amendment for food stamp Thrifty Food Program; the Dole amendment of \$400,000 for rural development grants; the Leahy amendment for \$400,000 for rural development grants; the Gramm amendment reducing administrative expenses; the Boren amendment, rural development grants; the Simpson amendment, REA study; and the Brown amendment, Marketing Promotion Program.

I yield to the manager of the piece of legislation from the other side of the aisle.

Mr. COCHRAN. Mr. President, reserving the right to object, I reserve the right to object to advise that I have been given information now that Senator BROWN does not intend to offer an amendment regarding tobacco; that can be stricken from the unanimous-consent request; and that the Senator from New Mexico [Mr. DOMENICI] would like to have included in the request a reservation of time for him to make a statement regarding Colonias. He will not offer an amendment on that subject, but would like to be recognized to make a statement on that subject.

With those two amendments, and if the distinguished Senator could include those amendments in the request, we would urge the Chair to approve the request.

Mr. BENTSEN. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENTSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENTSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENTSEN. Mr. President, I ask further that Senator BUMPERS, the manager for the majority of the piece of legislation, reserves a second-degree amendment to the McCain amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I reserve the right to object, just for the purpose of inquiring which McCain amendment we are discussing. Is that the McCain amendment that is pending or the McCain amendment on unauthorized programs?

Mr. BENTSEN. On unauthorized programs.

Mr. COCHRAN. It had been my understanding that the Senator would not offer an amendment on unauthorized programs, and that had been stricken. It had been stricken on the list that had been given to this side.

Mr. BENTSEN. Apparently that has been taken care of.

The PRESIDING OFFICER. Is there objection to the request? Hearing none, it is so ordered.

Mr. BENTSEN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Texas has 5 minutes. The Senator from Arizona has 2 minutes, 40 seconds.

Mr. BENTSEN. Mr. President, if there is anything that an elderly person wants, it is security; it is safety; it is something that you can count on. And I think one of the very top priorities is that Social Security benefit from the Social Security trust fund.

Mr. President, if we were to adopt the very costly proposal that is advocated by this resolution without offsetting the cost to the trust fund, we would be issuing an open invitation to conduct further raids on the Social Security trust funds.

The last time I counted there were 190 Social Security legislative proposals submitted in this Congress; there are probably 200 by now. It appears that nearly everyone has a favorite Social Security proposal that they want adopted. If we adopt this provision, we would be saying that we can just tap the trust fund and not pay for it, never worry about the solvency of the fund, not worry about what the economy is going to be, everybody is going back to work, we will have full employment, wages are going up.

If that is the attitude, then why not adopt all of these Social Security proposals this year? After all, the argument is we will not have to raise taxes and cut spending to pay for them. That is the Pandora's box that we are opening if we start down this road by passing this kind of a resolution or any other proposal to increase Social Security costs without paying for them.

Mr. President, I think the responsible course is to see that, whatever we do in moderating the earnings test, we do it by paying for it. That is the proposal that has been passed through the Finance Committee, and I hope to be able to bring it to the floor of this Senate and get it passed.

Mr. President, I reserve the remainder of my time.

Mr. MCCAIN. Mr. President, I ask unanimous consent to add Senator PRESSLER as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, how much time remains?

The PRESIDING OFFICER. Two minutes, thirty-five seconds.

Mr. MCCAIN. Mr. President, I will not bother to respond to the statement that says that this would open the door to raids on the Social Security trust fund. I think all of us who have been in public life recognize how sacred the Social Security trust fund is. So I will not bother to respond to that.

Let me just point out again. In 1992, elderly workers will be allowed to earn as much as \$10,200 without loss of Social Security benefits. If this earning limit were doubled, tripled, or even quadrupled, the Federal Government would receive considerably more in new work-related tax revenues than it would lose in increased Social Security benefit payments. If the earnings limit were increased to \$39,000, the Federal deficit would be reduced by \$3.2 billion.

Mr. President, more importantly, there is an issue of fairness.

It is an issue as to whether we in this body will remove a most discriminatory aspect of an ancient law that no longer applies in this day and age when our seniors are facing devastation in a wide variety of ways.

America's seniors, in this Senator's view, should be able to go out in the workplace, which they are most qualified to, in the view of many, and earn a salary and not be subjected to one of the most onerous taxes.

I yield the remainder of my time.

AMENDMENT NO. 2771 TO AMENDMENT NO. 2770

Mr. BENTSEN. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mr. BENTSEN] proposes an amendment numbered 2771 to amendment No. 2770.

Mr. BENTSEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike all after the word "insert" and insert the following:

(a) FINDINGS.—The Senate finds that:

(1) Many older Americans remain in the work force after they reach age 65, or would like to do so;

(2) Under current law, the benefits of Social Security recipients are reduced by \$1 for every \$3 earned in excess of \$10,200;

(3) This provision of current law penalizes these recipients and reduces their incentive to work;

(4) This penalty and disincentive should be eased as quickly as possible;

(5) The Senate approved, by a vote of 94-3 on April 7th of this year, an amendment to the Budget Resolution, whose purpose was to limit the levels of Social Security outlays and revenues assumed in the Resolution to current services levels; and

(6) Such limitation would ensure that, any new legislation will not reduce the levels of Social Security reserves, thereby endangering the payment of Social Security benefits to elderly and disabled beneficiaries.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Social Security earnings test be eased in a manner which does not reduce the levels of Social Security Trust Fund Reserves.

(Ms. MIKULSKI assumed the chair.)

Mr. BENTSEN. Madam President, the amendment is simple. What we are talking about is the sanctity of the Social Security trust fund reserves. I

know the Senator shares that concern. But I want it emphasized. I want it absolutely certain that when we do anything in this Senate on Social Security, we preserve the sanctity of those trust funds; that those retired folks are not going to see those savings turned to dust; that we are trying to anticipate all of the economic cycles and don't assume that we will always have the most optimistic of results, with full employment and good wages; that we make certainty No. 1, and provide for just the kinds of cases that we have been hearing about today. Certainty.

We have tried in the Finance Committee to bring those objectives together, show moderation. We improve the earnings test, doubling the exempt amount from current level of \$10,200 to \$21,000 in 1997, and increasing it to \$51,000 by the year 2001. But we pay for every dollar of it. Besides that, we modestly improve the trust fund balance by six-hundredths of 1 percent of the tax.

I want to pass that this year. I know the Senator from Arizona would like to see it passed.

Let nobody doubt that I am totally opposed to any earnings test proposal that threatens the financial integrity of that Social Security trust fund. That is my concern for the Senator's proposal. Do it in a responsible way. Honor the budget agreement by paying for any Social Security entitlement that we agree to.

Without this second-degree amendment, I am deeply concerned about the proposal. I believe that it completely fails those kinds of tests. And if we pass that resolution without this amendment, I think we are putting the Social Security program at greater risk, and that would be a tragedy—at risk not only because of this proposals as it affects the trust funds, but also because our action would be an invitation to see who can top you, who can do more, without paying for any of the cost.

So voting for the amendment, the underlying resolution, without having this second-degree amendment, would be sending a message that the Senate is ready and willing, for the sake of political expediency, for the sake of doing something that is popular, to recklessly endanger the Social Security trust funds and the future benefits of millions of Americans.

We have had the excesses of the 1980's, and we are paying for them. We are in a financial straitjacket in this country today, with our options severely limited. Let us not put the Social Security trust fund into that kind of straitjacket. If we do, and we get a modest downturn in the economy, then we are in real trouble.

My good friend, the Senator from New York, and I were discussing that fact back in 1983—that is where we were then—and Congress had to come to the rescue.

I reserve the remainder of my time.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator is advised that he has about 29 minutes and-some-odd-seconds.

Mr. MCCAIN. Madam President, I understand the intent of this second-degree amendment. Since I have just had a chance to look at it, it is a little hard for me at the moment to digest it, but I did pay close attention, as always, to the comments of the chairman of the Finance Committee.

I would like to say that the chairman states that if we pass the underlying amendment without the modifications he is proposing, it would signal that the Senate is ready and willing to endanger the trust fund. I remind the chairman of the Finance Committee that last November 12, this body already did, by unanimous vote, vote to lift the earnings test. I don't believe that action would threaten the trust funds. What we did do, though, was send a signal to the American people, the seniors in America, that we are willing to remove one of the most discriminatory aspects that affects them in their old age.

Second of all, I understand and agree with the intent of the amendment to the amendment, because no one wants to—and frankly no one can—jeopardize the Social Security trust fund. The Senator from Texas knows, as well as I do, that in politics, Social Security is called the third rail—touch it, and you die. Everyone knows that. The result of the 1986 election was that that issue was used in the extreme by certain candidates for public office, and we all know that. We are very clear on that.

Madam President, the American people have sent another message as well, which is that they are sick and tired of having their taxes increased.

And, in this case, they do not have to have their taxes increased. As I mentioned earlier, 57 times in the last 30 years the American people have had their taxes raised each time with a promise for a better life, each time with a promise of a deficit reduction, the latest of which, of course, was called by many the obscene 1990 budget summit agreement which was purported to lower the deficit, and in exchange for that, we were going to see a dramatic increase in taxes.

We saw the taxes go up, but we saw the deficit go up, too. And it is clear to anyone who has been amongst the seniors in this country that if this onerous tax were removed, tens of thousands, if

not hundreds of thousands—some estimate as many as 700,000—seniors would go out—and there are jobs for them. Pick up any major newspaper in America and look at the want ads if you do not think that is the case. They would go out and they would earn money and they would pay additional taxes.

So I agree with the premise of this amendment that we would not do anything to jeopardize the sanctity of the Social Security trust funds, but I do not agree with the implication of this amendment that somehow, therefore, we have to raise taxes if we repeal the Social Security earnings test. And, by the way, I might add neither does the Ways and Means Committee in the other body.

So I would like to say to the distinguished chairman of the Finance Committee, if he brings to the floor a measure with any relaxation of the earnings test, and that relaxation entails an increase in taxes on the working men and women in America, unnecessarily, totally unnecessarily, then, of course, I would do everything in my power to see that we do not lay any additional burden on the working men and women of America.

I might add that I was also a Member of the House of Representatives in 1983, and I also took part in the effort to restore the solvency of Social Security. I remember it with great clarity, and I also remember that it was a bipartisan effort. I would like to see for a change perhaps a bipartisan effort exerted to remove the onerous tax on seniors of America.

Madam President, I would just like to repeat again: I do not believe that an increase in taxes will do anything to help. In fact, it will hurt the sanctity of the Social Security system because when we raise taxes on the American people, they become less economically viable, and the economy suffers more and more.

I am convinced that there are two reasons that the economy in this country is staggering today: One is the burden of taxation; and two is the amount of regulation that businessmen and women in this country have to suffer under in order to try to make a living.

I am not going to sit by and watch another increase in taxes on the men and women of this country because I know it is not necessary, and I think it will be devastating to an already overburdened and overtaxed working population.

I hope that we can work through this issue as the chairman of the Finance Committee stated. I hope we can get it done before the session is over, particularly in light of the fact that the Older Americans Act—and I note the presence of the Senator from Washington on the floor who has labored so hard and so heroically on behalf of the Older Americans Act—deserves to be passed. But, we cannot abandon this issue.

I suggest to you that if we go back, as we did on November 12 of last year, and take the bill, as amended, by unanimous vote of the Senate, which was lifting of the earnings test, then we could get this issue done and resolved rather quickly.

Madam President, I will accept the amendment to the amendment of the Senator from Texas.

Mr. BENTSEN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BENTSEN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENTSEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENTSEN. Madam President, I suggest to my friend, the Senator from Arizona, that I am quite willing to vitiate the yeas and nays on the second-degree amendment if he is on the first.

Mr. McCAIN. Madam President, I ask unanimous consent to vitiate the yeas and nays on my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the second-degree amendment.

The amendment (No. 2771) was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the first-degree amendment, as amended.

The amendment (No. 2770), as amended, was agreed to.

Mr. BENTSEN. Madam President, I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BENTSEN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BUMPERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Madam President, we have been sitting here for approximately 25 minutes with no amendments offered. I just would like to say to my colleagues who are sitting in their offices watching this on television that the unanimous-consent agreement does not preclude going to third reading. All it says is that these are the only amendments that can be considered. Sitting here 25 minutes waiting for somebody to give very gen-

erously of their time to come over here and offer an amendment is not conducive to an effective and efficient running of the Senate.

So, Madam President, I want to serve notice on all of the people who have amendments and who are in this unanimous-consent agreement that I will shortly move to third reading unless we have some action very shortly.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BUMPERS. Madam President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 2772

(Purpose: To conform appropriations language to the report language)

Mr. BUMPERS. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for Mr. LEAHY, proposes an amendment numbered 2772.

Mr. BUMPERS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 57, line 6, before the "." insert the following: "Provided further, That \$400,000 of the amount made available under this heading in fiscal year 1992 shall be made available to the Vermont State Colleges in fiscal year 1992: Provided further, That \$400,000 of the amount made available by this paragraph shall be made available to the Vermont State Colleges to construct, maintain and operate additional educational and learning centers and to provide educational programming in fiscal year 1993".

Mr. BUMPERS. Madam President, this is an amendment I am offering on behalf of Senator LEAHY. It has been cleared on both sides of the aisle. I ask for its approval.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. The amendment has been reviewed and we have no objection to it. We urge it be accepted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2772) was agreed to.

Mr. BUMPERS. I move to reconsider the vote.

Mr. COCHRAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 2773

(Purpose: Disaster assistance)

Mr. COCHRAN. Madam President, I send an amendment to the desk on be-

half of the Senator from Kansas [Mr. DOLE], and ask that it be immediately considered.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. DOLE, proposes an amendment numbered 2773.

Mr. COCHRAN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 57, line 6, insert before the ".": "Provided further, That \$400,000 shall be available to the North Central Kansas Electric Cooperative, Inc., Belleville, Kansas, to repair wind and storm damage from an inland hurricane".

Mr. COCHRAN. Madam President, I think this amendment has been cleared on both sides and I ask it be adopted.

Mr. BUMPERS. Madam President, we have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2773) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 2774

(Purpose: To require the Secretary of Agriculture to submit a report to Congress that proposes program participant criteria for electric and telephone borrowers)

Mr. COCHRAN. Madam President, on behalf of the Senator from Wyoming [Mr. SIMPSON] I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. COCHRAN], for Mr. SIMPSON, proposes an amendment numbered 2774.

Mr. COCHRAN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 61, line 9, after "1982"; insert the following: "Provided further, That, not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that proposes program participants criteria for electric and telephone borrowers under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.)."

Mr. SIMPSON. Mr. President, I rise today to offer an amendment which would require the Secretary of Agriculture to submit a proposal to Congress for program participation cri-

teria in the Rural Electrification Administration's electric and telephone loan programs.

The current lending system the REA employs is complex, almost byzantine. The Rural Electrification Act of 1937 was created as part of President Franklin Roosevelt's New Deal in order to supply electricity to rural communities throughout our country. Later the program expanded to extend loans to rural cooperatives wishing to provide phone service to rural America. Without question, the program has been an unqualified success and its original goals have been met.

But for the past 20 years, Congress has cooperated with the special interest groups that represent telephone and electric cooperatives by amending the 1937 law to include provisions that protect every cooperative—no matter how large its service population has become and regardless of its parent corporation. For instance, existing law encourages dependence on Government lending with the provision that allows every borrower equal and permanent status in the program.

This small, but important, provision, has kept REA borrowers from graduating from the program and has allowed them to expand their portfolios while enjoying cheap Government loans. Consumers have yet to reap the benefit of low service charges that those loans seemingly would bring. Their bills have not significantly decreased and the profit margin of cooperatives have risen.

This is not to say that every rural cooperative is bilking the Government. That is definitely not the case. However, current law has allowed the number of cooperatives to stagnate—and in some cases—grow—as maintenance and expansion costs have grown. Therefore, we have many cooperatives who are requesting large amounts of money in Government loans. Those loans are approved regardless of the financial status of the cooperative and their ability to compete for loans in the private sector which will not offer them the same low interest rate that the Government does. Obviously, in these difficult budgetary times, 1 year's appropriation for loans cannot hope to equal the loan requests from every cooperative that will be made each fiscal year.

What has Congress done about this? Has it changed the law to reflect the tight budgetary times? No. Rather than change the law by supplying some type of regulation which would condition program participation on need or the size of the cooperative's service area. We have allowed the REA to operate with an outdated set of rules resulting in a backlog of loan requests. Who gets blamed? Congress. Who bears the brunt of the problem? The taxpayer and the consumer. The taxpayer loses in this scenario because he pays for loans which might be granted by a private institution.

My amendment would require the Secretary of Agriculture to report on how we could best serve the taxpayer and the cooperatives by establishing logical and reasonable program participation criteria. This amendment would not affect any loan request. Cooperatives would not be forced, at this juncture, to submit their requests based on any criteria other than what is now legally required.

I believe that if new program participation criteria was eventually implemented we would not have the problems with loan backlogs that we have now, and we would encourage the rural communities that have healthy, wealthy, or growing populations to seek their funding elsewhere. No one loses. But many would have to change their ways.

I urge my colleagues to support adoption of this amendment.

Mr. COCHRAN. Madam President, I think this amendment has been cleared on both sides and I urge adoption of the amendment.

Mr. BUMPERS. Madam President, the amendment has been cleared on this side. We have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2774) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### PUBLIC LAW 480 DEBT RESTRUCTURING

Mr. COCHRAN. Mr. President, it is my understanding that this bill is at the limit of our function 150 allocation and we were therefore unable of fund Public Law 480 debt restructuring to the amount of the budget request and are now at a level of more than \$56 million below the House level. A higher level would provide greater efforts toward meeting the goals of the Enterprise for the Americas Initiative.

Mr. BUMPERS. That is correct. We are at the limit of our allocation.

Mr. COCHRAN. The Enterprise for the Americas Initiative would provide support for economic reform in as many as five Latin American and Caribbean countries, most notably El Salvador and Costa Rica. In addition, the program could generate as much as \$20 million in local currency for grassroots environmental projects in the region.

Mr. BUMPERS. That is my understanding. In addition, it is noteworthy that Latin America is one of the fastest growing regional markets for our exports and that is extremely important during these times when negotiations for a strong U.S. position in the GATT and NAFTA are priorities for our agricultural community.

Mr. COCHRAN. I agree. I believe the House discussion and vote on this issue

accurately reflect the priority that should be placed on this program, and I hope that in conference with the House we can resolve funding for Public Law 480 debt restructuring in a manner that will enhance our potential for greater U.S. exports, jobs, and growth.

Mr. BUMPERS. I concur with the Senator from Mississippi and I thank him for his comments on this program.

Madam President, we have now been waiting for 45 minutes for an amendment and we have just disposed of all the agreed to amendments. Therefore, I move that we proceed to third reading of the bill.

Mr. COCHRAN. Madam President, I would be constrained to urge the Senator to withhold his request to go to third reading. We do have a unanimous-consent agreement which sets out some amendments that Senators had intended to offer, and this agreement purports to protect their right to offer the amendments. I do agree with the Senator from Arkansas there is no guarantee that we cannot go to third reading if Senators do not come to the floor and offer these amendments.

So I hope that Senators will recognize that we have some amendments listed in the unanimous-consent agreement, and we are ready to discuss and consider those amendments. But in consideration of all Senators' interests, we ought to proceed expeditiously to consider those amendments or else go to third reading.

So I hope Senators will recognize that we do intend to go to third reading on the bill at some appropriate time. I sympathize with the statement made by the Senator from Arkansas that a motion to go to third reading is certainly in order at any time if no Senator is here to offer the amendment provided for in the order.

I hope the Senator, temporarily at least, will withhold his request.

Mr. BUMPERS. Madam President, I certainly have no desire to cut off any legitimate rights of Senators. We have now been on this bill all day long. It should have been disposed of in 3 or 4 hours. We have been on it now since 11:20 this morning with about an hour off for the caucuses, and I promise you that a good third of the time has been taken up in quorum calls. This can only be considered ridiculous. It happens around here all the time. I may be a little more impatient than most, but I wonder if the Senator from Mississippi would be willing to agree that just informally, if we do not have an amendment on the floor within the next 15 or 20 minutes, we move to third reading.

Mr. COCHRAN. I see nothing inappropriate with that suggestion, Madam President, and I would concur with the Senator, if we do not have an amendment offered by some of the Senators who are described in the order, we

should proceed to third reading. I agree with the Senator.

Mr. BUMPERS. I thank the Senator. I withdraw my motion, Madam President, and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SIMON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WELLSTONE). Without objection, it is so ordered.

## AMENDMENT NO. 2775

Mr. SIMON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. SIMON], for himself, Mr. DIXON, Mr. SASSER, Mr. D'AMATO, and Mr. WELLSTONE, proposes an amendment numbered 2775.

Mr. SIMON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 87, line 24, strike "\$174,500,000" and insert in lieu thereof "\$170,700,000".

On page 77, line 21, strike "\$744,135,000" and insert in lieu thereof "\$746,035,000".

On page 77, line 23, before the period insert: "Provided further, That \$1,900,000 of the funds made available to the Food and Drug Administration shall be available to fund a clinical pharmacology pilot program."

Mr. SIMON. Mr. President, this is an amendment that is cosponsored by my colleagues, Senator DIXON, Senator SASSER, Senator D'AMATO, and Senator WELLSTONE, the Presiding Officer. I believe it is acceptable.

It takes basically 2 percent of the marketing fund. We are about \$100 million over the House in those funds—take about 2 percent of those funds and allocate them to something that has been authorized that is of great need, that is to train pharmacologists so that we can speed up the process of approving drugs. I could go into greater explanation, but that is basically it.

I believe it is acceptable to both sides. I would appreciate a favorable vote in this body.

Mr. BUMPERS. Mr. President, I have had a discussion with both my ranking member, Senator COCHRAN, and the author of the amendment, Senator SIMON. I do not mind saying I am troubled by the amendment. I have such great respect for the Senator from Illinois that I have told him we would accept the amendment, and spend some time between now and the time we go to conference with the House to talk with the Food and Drug Administration about the amendment and determining

whether or not we can really forcefully defend it in conference.

With that understanding, I am willing to accept the amendment.

Mr. COCHRAN. Mr. President, the Senator from Arkansas correctly states our discussion about the amendment. I hope the amendment can be resolved in conference but I am not at all certain that we can. But we do in good faith accept the offering of the amendment at this point and urge its adoption.

Mr. SIMON. Mr. President, I thank my colleagues. I understand that we can take a good solid look at it before conference and see what happens there.

I would appreciate a favorable vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment of the Senator from Illinois.

The amendment (No. 2775) was agreed to.

Mr. SIMON. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, I might just make an observation, if I could be recognized for that purpose.

We are now down to a point where we just have a few more amendments left. For the information of Senators, with the disposal of the Simon, Dole, and Leahy amendments, I am authorized to announce to the Chair that Senator SMITH will not offer the amendment that is listed in the order on freeze levels.

The McCain amendment on authorized programs will not be offered. There is a Brown amendment that has been submitted to the managers that we are looking at right now relating to research grants. The Harkin amendment is still on the list related to travel expenditures; the Bryan amendment; there is a Boren amendment on the list on rural development grants. There is a Domenici amendment on the food stamp Thrifty Food Program; and a statement on Colonias. We understand that we can expect that to be brought up on the floor momentarily.

So we are down to the point where we can look for completion of the bill it seems to me in a very reasonable period of time.

If Senators who are listed on the order can come to the floor and present their amendments, we can expeditiously complete the handling of this bill.

I hope we can have the cooperation of Senators so we can get to final passage.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Is the Senator offering an amendment?

Mr. DOMENICI. I will offer an amendment on food stamps, and then I will withdraw it.

## AMENDMENT NO. 2776

Mr. DOMENICI. Mr. President, on behalf of myself, Senator DOLE, Senator MURKOWSKI, Senator MCCONNELL, Senator DECONCINI, and Senator LEAHY, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for himself, Mr. DOLE, Mr. MURKOWSKI, Mr. MCCONNELL, Mr. DECONCINI, and Mr. LEAHY, proposes an amendment numbered 2776.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

## SEC. . ADJUSTED COST OF THRIFTY FOOD PLAN.

Section 3(o)(11) of the Food Stamp Act of 1977 (7 U.S.C. 2012(o)(11)) is amended by inserting before the period at the end the following: ", except that on October 1, 1992, the Secretary may not reduce the cost of such diet".

Mr. DOMENICI. Mr. President, this amendment may appear to be rather innocuous. Its title speaks for itself. It is a temporary prohibition on reduction of food stamp benefits.

Essentially, believe it or not, Mr. President, because we have had a reduction in inflation, we are scheduled, on October 1, to have a \$4 reduction in the basic monthly food stamp allotment for poor families. I don't believe we should allow that in this year, considering the difficult times people are having. The food stamp program has some significant shortfalls, and I do not think we ought to add to the burden out there or to the feeling that our people have with reference to the situation in our country by letting this reduction occur.

So what this amendment does is provide that the thrifty food plan, the current measure upon which the benefit allotments are based, not be reduced for 1 year.

Obviously, we do not know what the inflation rate will be for the following year, but clearly, all things added together, this thrifty food plan comes under some kind of attack by certain people as to its propriety, and as to its appropriateness, in terms of the methods of figuring it. It seems to this Senator that in the midst of all of this, since we already have in the budget an estimate that assumes that the thrifty

plan will not be reduced, this amendment, if adopted, will not require any payment by taxes or cuts. In other words, the pay-as-you-go provisions of our budget agreement do not come into play, because this amendment is already paid for in the policy baseline in the budget.

Mr. President, I offered this amendment on behalf of myself and the other Senators that joined me to make a point. I do not really want to burden an Agriculture appropriations bill with this amendment, but now I have been led to believe that the Agriculture Committee, its chairman, Senator LEAHY, and ranking member, Senator LUGAR, will actually cause to be reported out this identical amendment in bill form this evening or tomorrow, and it will be adopted by the Senate as part of the unanimous-consent concluding events of the Senate.

I am told that I can say that because it is going to happen, and, thus, I do not have to burden an appropriations bill with this authorizing change.

Make no mistake, if I was not assured that that was going to happen—and that is the right way to do it—I would clearly do it this way, and I believe the Senate would, without any question, adopt this.

Mr. President, the amendment I offer today is the text of a bill I introduced last week with Senators DOLE, MURKOWSKI, MCCONNELL, and DECONCINI. This is a matter which requires quick action by the Congress in order to prevent a reduction in food stamp benefits this fall.

Mr. President, because we have had a reduction in inflation, we are scheduled on October 1 to have a \$4 reduction in the basic monthly food stamp allotment to poor families. I do not believe we should allow that in a year that is as difficult as this.

This amendment provides that the thrifty food plan, the current measure upon which benefit allotments are based, not be reduced for 1 year.

This amendment would impose a temporary restraint on the reduction of food stamp benefit levels, for fiscal year 1993 only, after which benefit levels would resume as under current law.

Mr. President, there are currently over 25 million Americans who are counting on food stamps to supplement their food budget. The economy is growing, but as we all acknowledge, that growth is slow to impact some of our neediest people.

Those who would be most adversely affected by a reduction in benefits are larger households, typically families with children.

Mr. President, the thrifty food plan is a market basket list of amounts and kinds of foods needed to provide a nutritionally sound basic diet. Without this adjustment, food stamp benefits for households would have to be cut on October 1, due to the drop in the cost of the market basket.

OMB has offered assurance that this amendment will not present a pay-go problem or violate any provisions of the Budget Act.

When formulating the current baseline, there was an increase assumed for the thrifty food plan, therefore, current benefit levels can be maintained for fiscal year 1993, without pay-go problems.

Mr. President, I urge my colleagues to adopt this amendment, in order to assure millions of needy American families that their food stamp benefits will not be cut.

With that, I withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The amendment (No. 2776) was withdrawn.

RURAL WASTE AND WATER DISPOSAL PROGRAM

Mr. DOMENICI. Mr. President, I would like to talk about a matter that is of real significance to the Senator from New Mexico, and again, I do not choose to, in any way, by amendment challenge the good work of the Committee on Appropriations and the Subcommittee on Agriculture, but I want to talk about a situation that cries out for some help, and I am very hopeful before the year is over with, and before the process is completed, that we will find a way to help with this situation.

We have in this bill that is before us a program called Rural Waste and Water Disposal Program. This is a grant program and clearly the title speaks for what it does. It is a mechanism for helping with sewer and water in rural America where there are serious problems and inability to pay for the kinds of facilities that might be needed for public health and sanitation. So it is the Rural Waste and Water Disposal Program.

For that program the President of the United States asked that \$25 million be set aside and targeted for some communities that are commonly known by the name of colonias. "Colonias" is a Spanish word meaning colonies, for lack of a better word. They are small communities of Mexican-Americans that spring up here and there along the border in New Mexico, in Texas, and parts of Arizona. Generally they start because somebody illegally subdivides a piece of property and, before the authorities can get to them, immigrants squat on the property and then, before they are removed, these squatters end up with small structures that are houses. Before much time there are literally scores of people living on these small lots and they eke out a living one way or another. Day by day the little community grows and becomes a colonia. What is really happening—and I do not believe it is anyone's fault at this point—is there are literally hundreds and hundreds of people living in these small colonias communities without water and without sanitation facilities.

It is truly devastating to behold, and clearly something that cries out for help. There is not any easy way. Some might say, well, Senator, just remove the people? In the United States you cannot just come down in helicopters or send military people in and take squatters off of these small communities lacking in sanitation. You have to work with the people and, in due course, try to help and, with new trade that is going on between our countries, hope that Mexico's standards will go up and we will have less pressure of this type. But for now they are almost semipermanent communities that grew up. They are not chartered. They are not legal. But they are there and the situation is devastating in terms of sanitation and health from the lack of sewer and water.

The President asked that, out of the increases in this program, the \$25 million be set aside for that border problem.

Our Committee on Appropriations was unable to increase the basic program sufficiently to justify a set aside—at least these did not increase it enough—or were unable to where I would not feel comfortable asking the Senate to set aside \$25 million.

I still want to say we still have to go to Congress, and the U.S. House of Representatives did increase this program by \$50 million. We only increased it by \$31 million. The House set aside \$25 million for this program, that is colonias on the border to see if we could not help some of those people, the most egregious situations, with some kind of water and sanitary facilities, be it temporary or otherwise.

Our bill only has \$381 million, which is a \$31 million increase. And obviously, if we set aside \$25 million, there would hardly be an increase for the rest of the country.

I speak to this today because it bothers me very much and certainly it makes it even worse if we are not going to do anything to alleviate this situation right in the middle of optimistic efforts on our part regarding a new free trade agreement.

Clearly, we ought to be making some headway in some of these kinds of things as we talk about a bright future and as we talk about trade which will add jobs rather than aid; trade instead of aid. In this case we truly need to put money in sooner or later. I do not think there is any disagreement.

We do not want this to continue. We wish it never started. But the truth of the matter is it is a living reality. There are a few thousands of people living in a number of these and I wanted to make the case today knowing full well that the chairman and ranking member of the subcommittee will be conferees and that hopefully before we finally produce a bill that goes to the President we might find a way to do something to alleviate this very, very

devastating type of human suffering that goes right to the heart of living day by day, that is some kind of safe water and sanitation.

With that, I yield the floor and thank the managers for their consideration and the time that they have given me today.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I rise to commend the distinguished Senator from New Mexico for his eloquent statement and his sincere expression of concern for the colonias and the fact that funds are needed to deal with the water systems and the problems along the United States-Mexico border in his area of the country.

I recall the Senator from New Mexico arguing for funds to be allocated for this purpose in the Committee on Appropriations. He made a very forceful argument at that time, and I think he has impressed the Senate with the fact that this is a legitimate need, it is a concern that needs to be addressed.

I am glad that we were able to include in the bill an increase of \$81 million in excess of the budget request for this account in this bill. I hope that within those funds that are being appropriated, even if no increase is earmarked for this specific problem, that the administration can find a way to deal with that situation.

The House bill does provide an additional \$25 million earmarked for that area of the country and for that particular problem.

While we do not provide the earmark, it will be a subject of discussion inevitably as we go to conference with the House, and I am sure the comments the Senator has made will be remembered by those of us who will be on the conference committee, and I particularly want to express my appreciation for his helpful discussion of the issue on the floor tonight.

Mr. DOMENICI. Mr. President, I thank the distinguished Senator from Mississippi.

Mr. BINGAMAN. Mr. President, I am dismayed that the fiscal year 1993 agriculture appropriations bill does not include funding for water projects along the United States-Mexico border. The proposed fiscal year 1993 budget earmarked \$25 million in rural development grants for the New Mexico and Texas colonias. These border communities are generally small, rural, and residential, unfortunately characterized by substandard housing and inadequate plumbing. The colonias house almost 17,000 New Mexicans who lack both drinking water and waste water treatment facilities.

Such fundamental comforts still elude the colonias residents, Mr. President. I encourage the conferees to earmark funds for this worthwhile effort. I will look for other opportunities in the appropriations process to continue

to address the problems facing the colonias.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

AMENDMENT NO. 2777

Mr. BOREN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. BOREN] proposes an amendment numbered 2777.

Mr. BOREN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 57, line 6, before the period, insert "Provided further, That \$500,000 shall be available to the city of Seminole, Oklahoma, Industrial Foundation to make improvements in the water and sewer system of the city of Seminole and its industrial sites sufficient to accommodate a major industrial expansion".

Mr. BOREN. Mr. President, this is an amendment that I have discussed with the managers of the bill as they are well aware we face a very severe economic situation in parts of my home State; in fact, most severe in the county in which I have lived all my life and still maintain my home and residence and I am there virtually every weekend. I see firsthand every time I come home the economic struggling.

Of 77 counties, this county has in the last 3 or 4 years consistently ranked in the top 3 or 4 or 5 of the 77 counties in the rates of unemployment in the double digit range throughout this period.

We have a major opportunity to bring in a new industry in the textile industry, the denim industry, into our community that would bring 700 to 800 new jobs but would put a great strain on the municipal facilities, particularly environmental facilities, sewer and water facilities, to accommodate it.

The community is willing to make every effort to vote additional taxes on itself, to increase bonded indebtedness to make this industry a possibility to greatly increase the employment in the region. Eight hundred new jobs in a county that only has 24,000 people is a major economic step forward. And we are simply not able to do it through the normal course of programs, with all of the local effort possible under the laws of our State.

Therefore, I have asked that this additional assistance be provided and this amendment be made available to the city to be used as a match with local efforts in order to make it possible to bring in that industrial expansion.

Mr. BUMPERS. Mr. President, I have discussed the amendment with the Senator from Oklahoma. We have no objection to it on this side of the aisle.

Mr. COCHRAN addressed the Chair. The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the amendment has been cleared, and we urge its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2777) was agreed to.

Mr. BOREN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOREN. Mr. President, I wish to thank both managers of the bill for their consideration and understanding.

I also ask unanimous consent that my colleague from Oklahoma, Senator NICKLES, be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRYAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 2778

(Purpose: To prohibit the use of funds made available by this Act to carry out the market promotion program)

Mr. BRYAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. BRYAN] proposes an amendment numbered 2778.

On page 87, line 24, strike "\$174,500,000" and insert in lieu thereof "\$75,000,000".

Mr. BRYAN. Mr. President, by now it is a familiar litany that we have heard many times during the course of this session of Congress, and I speak of the discouraging—even the depressing—news of the growth of the Federal budget deficit.

It took us nearly 200 years of our constitutional experience to amass the first \$1 trillion of debt. We assumed a Revolutionary War debt at the time the Constitution was enacted. We financed an extraordinarily costly and tragic Civil War. We financed two World Wars, a Great Depression, a recovery program, Korea, Vietnam, all amassing a cumulative deficit in 1981 of approximately \$900 billion. In the intervening period of time, that deficit has nearly grown by four times.

We are approaching now \$4 trillion in terms of our deficit. Although we are told this year, with the revised numbers, that our deficit this year will be approximately \$333 billion, one of the most distressing aspects of that debt is the interest alone, in fiscal year 1992, will approximate \$201 billion—\$201 billion.

We have heard the oratory ring in this Chamber, and I daresay that no

Member in either body has failed to make speeches declaiming the fact of that deficit. The amendment which I have just submitted will give us an opportunity to address that in a significant and substantial way.

Some of us, Mr. President, have become so alarmed by the magnitude of this debt that we believe that a constitutional amendment requiring the Federal budget to be balanced and to require the President of the United States to submit a balanced budget is required. As you know, Mr. President, that was not the judgment of this body. It was offered, but we were unsuccessful.

All of us who support that constitutional amendment—and everybody in this Chamber—recognize that that constitutional amendment was not self-executing. It was going to require us to do some very difficult and painful things, and no one would be spared from the impact of a meaningful deficit reduction program.

As for the program that I am going to talk about this evening, it is one of those sacred budget cows. I have seen a circular, pointed out by our distinguished and able colleague, the acting chairman of the Appropriations Subcommittee, the senior Senator from Arkansas, that indicates the number of States that benefit from this agriculture export promotion program. My own State is mentioned. And like many of my colleagues, I have received a call today indicating: Please, do not do anything about it. It will affect us. We need this program. We like this program.

I daresay, Mr. President, that that would be instructive with respect to every program in the Federal budget. Each of those programs has advocates, sponsors, constituencies that support it. But if we are going to unmake any kind of progress at all, we have to begin. And this time, when we are amassing the kind of deficit that we have seen occur in the last decade, we cannot afford corporate welfare. And that is what this program is all about.

I am speaking, Mr. President, of the Market Promotion Program. Some of my colleagues who do not serve on the Agriculture Committee may not be familiar with all of the subtle nuances in the agriculture programs. But this is a program that has a laudable purpose. It was created to encourage the development, maintenance, and expansion of exports of U.S. agricultural products. And I do not quarrel with that objective.

MPP is the successor of an earlier program, the Targeted Export Assistance Program, a program which was established in 1986. Since 1986, Mr. President, more than \$1 billion—\$1 billion—has been spent for MPP or its predecessor program, the Targeted Export Assistance Program.

Mr. President, we are talking about real money and real dollars, over \$1 billion.

MPP is operated through about 61 different trade organizations in which federal taxpayer moneys are allocated to those trade groups or organizations that run either market promotion programs themselves, or they pass that money directly along to individual companies who advertise and promote their own specific branded promotions.

About 60 percent of the program activity goes into the generic promotion; that is, moneys that are given directly to these trade organizations that promote generically: "Buy America," for example. The other 40 percent is provided as pass money through these various trade organizations to specific companies that promote and advertise their specific branded product.

The General Accounting Office has pointed out that the entire Federal Government spends about \$2.7 billion annually on export promotions. And while agricultural products account for only 10 percent of total U.S. exports, the Department of Agriculture spends about \$2 billion, or 75 percent, of the total. The Department of Commerce spends about \$195 million annually on trade promotion.

As I have indicated, I do not object in principle to a public-private partnership in which the Federal Government, working with the private sector, assists in the export of American agricultural products. But this is a program, Mr. President, that simply is out of control and it has no accountability, and a program that we can ill afford at this time.

My preference, Mr. President, until such time as this program can be restructured and reformed, would have been to eliminate funding altogether. And that would be approximately \$175 million in this appropriations bill that we are considering.

What I have done, however, is—recognizing that if you are going to reform the program, maybe you had better give folks a wake-up call and an opportunity to do so—I have reduced the level of funding by approximately \$100 million, to the level that was appropriated in the other body's appropriations bill. So if this Chamber accepts this amendment, it will be in harmony with the action previously taken in the other body.

Mr. President, what is the problem with this program? First of all, I think it needs to be pointed out that there is no strategic plan; there is not a game plan. There is not a carefully considered, overall strategy in which the allocation of money is carefully considered and it has a targeted purpose.

Let me cite, if I may, a couple of examples.

The General Accounting Office offered its testimony recently before the Committee on Agriculture, Nutrition,

and Forestry. Mr. President, in that testimony, and I will quote it:

In fiscal year 1991, the program's participants received more than \$200 million in program funds and conducted activities in 139 countries. Since 1986, over \$1.1 billion has been authorized for the Targeted Export Assistance and Market Promotion Programs.

One is the predecessor program as I described and the other is the current program, the MPP.

Despite the substantial funding for this program, the large number of variables that determine exports makes it extremely difficult to demonstrate a one-to-one relationship between program-funded promotion activities and increased exports.

The Market Promotion Program's broad goals can be used to justify program support for promotions under any market situation. Funds are not allocated based on product or market priorities. Only commodities that have been subject to documented unfair trade practices are to be given extra preference. The small start-up company trying to establish itself in an overseas market and the large multinational corporation that spends millions of its own dollars to maintain its decades-long position in a country receive the same consideration for funding. Over a third of the money spent under the program is used directly to support the overseas marketing programs of private U.S. companies. In some cases these companies are large, multinational firms with broad experience in exporting.

I will address the issue of multinational companies at a later juncture.

Although the Food, Agriculture, Conservation, and Trade Act of 1990 required Agriculture to develop a long-term agricultural trade strategy by October 1991, the strategy is still under development and has yet to play a role in the allocation of Market Promotion Program funds or in other trade-related programs and activities.

Let me cite a couple of examples which would indicate the total absence of a strategy, a game plan, a sensible approach to what I indicate is clearly a desirable goal, and that is the increase of American agricultural exports.

Since 1986, the California Raisin Advisory Board has spent \$47.4 million nationwide for market development. Of that, \$9.4 million was specifically spent for development of raisin exports in Japan. Mr. President, currently the United States has 80 percent of the raisin imports in Japan. That is good news.

I respectfully submit that a question arises, and that is, with that type of market penetration—which, as Americans, we all rejoice in and are delighted to see—is this a program that ought to continue to receive taxpayer assistance? With 80 percent of the market penetration, is it not reasonable to ask that the companies themselves that are directly involved in that export underwrite the cost of the advertising rather than the American taxpayer?

Another example, if I may. Ursula Hotchner, an official from Newman's Own—that is Paul Newman's food company—was recently asked why the company was selected to receive TEA funding. This is her answer:

"I don't know," she said. "Someone from the export council called me up one day from out of the blue and asked why don't we take the money? They said all we had to do was send in our advertising bills and they'd reimburse us. I figured, why not?" She said.

Mr. President, that is hardly part of a carefully constructed, responsible strategy in terms of how we spend taxpayer dollars to assist the export of agricultural products coming from the United States.

Another policy issue arises. Who should get these funds? No guidelines exist about the size or type of company that will receive MPP funds. For that reason, large corporations such as McDonald's, Sun-Maid, Welch's, and Pillsbury can receive large sums of money. Since 1989, but not including the current fiscal year of 1992, Welch's has received \$2,974,109; Blue Diamond, \$22,688,900; McDonald's \$1.185 million; Pillsbury \$5,224,850.

I think the question arises, during a period of extreme budget duress, should the American taxpayer be subsidizing these corporations in terms of their own advertising and export promotion activity?

Mr. President, I invite my colleagues' attention to a chart, the source of which is GAO, Forbes, Standard Directory of Advertisers, and Advertising Age. I think it makes the point. From 1986 to 1992, McDonald's, the large hamburger food chain, has received over \$1 million from MPP and its predecessor TEA. McDonald's is a substantial corporation. Its net profits are \$802 million and its advertising budget is \$764 million.

Now, with Federal dollars as tight as they are, with each year adding—assuming these most recent estimates are correct—\$333 billion to the deficit this year, more than \$200 billion of which is interest alone, I do not believe you can defend that kind of allocation from the American taxpayer.

Tyson's Foods has received, in the past 6 years, nearly \$10 million. Its advertising budget is \$25 million, its net profits \$126 million.

Borden's has received \$344,846, another highly successful corporation, with net profits of \$364 million; \$110 million is its advertising budget. It has received \$344,000 of taxpayer dollars.

ConAgra, \$560,000 received from this marketing export promotion program. Another large company with \$285 million in net profits, its own advertising budget a rather substantial \$246 million.

Finally, by way of illustration, Brown-Forman has received \$1.26 million over the last 6 years. It, too, has had a substantial profit, \$143 million, and a substantial advertising budget of \$74.7 million.

My point is that I do not object and am pleased and delighted that these companies are making money. That is

what the free enterprise system is all about, and I support that. But I must say it raises a substantial question in terms of public policy of how we defend reaching into the pockets of the American taxpayer and, in effect, assisting these companies which have the financial wherewithal on their own to pay for their advertising budget for specific branded products marketed by these companies.

Mr. President, another policy issue arises, not only who should receive in terms of how much, how big or small the company may be, but should this be confined for the benefit of American companies? After all, we are talking about American taxpayer dollars. These are our constituents, each of whom pays proportionately for this program.

I have listed here a list of foreign brands—these are not American companies—that receive support by MPP. I note for the record that the source of this information is submitted to us by the Department of Agriculture. It does not purport to be an entire list, but I will certainly make it available for our colleagues to take a look at.

The amount of money that has been paid since 1989 on foreign brands and their subsidiaries is \$43 million. Mr. President, how do we defend that? How do we say to the American taxpayer we are asking them to, in effect, pay the cost of advertising and promotion for companies that are not even American companies? I must say I cannot give my own constituents a satisfactory answer. And I must say I think our constituents would be very surprised if they knew the program operates in just this kind of fashion.

For example, with respect to the MPP's branded products, you will recall this program operates in two ways. Money is provided to these trade groups either for generic—that is, buy American—about 60 percent of the money goes for that purpose. Another 40 percent goes to these trade associations and is directly passed through to a specific company which advertises a specific branded product.

There is currently no minimum U.S.-content requirement for MPP's branded products. Although they must use a U.S. product, it does not need to be 30 percent, 50 percent, or 80 percent. It could be 10 percent. So the amount of the American agricultural product involved in the product that is ultimately packaged and marketed may contain a very small, minute part of American agricultural products.

Again, Mr. President, I suggest that that raises a substantial question of how do you justify supporting this kind of program with American taxpayer dollars?

Moreover, is this program to last forever? Once a particular program, a branded product may receive consideration by the Department of Agri-

culture, what is the criteria for ultimately weaning that particular company from continued funding?

Mr. President, I suggest that there is again an absence of criteria in terms of how this program is to be administered and under what circumstances funding is secured in the first instance, who is eligible, domestic or foreign, how much American product has to be in the particular product that we are subsidizing the advertising for. As I have indicated with respect to branded products, there is no requirement for a specific amount and once it is established and a program is entitled to funding, under what circumstances is that to be discontinued?

Mr. President, the point that I make is that this is and should not be corporate welfare. I invite my colleagues' attention to an article that appeared recently in the National Journal, dated June 27, 1992, entitled "Subsidized Ads." I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the National Journal, June 27, 1992]

#### SUBSIDIZED ADS

(By Jonathan Rauch)

"Betty Crocker, Welfare Queen." Beneath the all-capitals headline was this announcement: "I've introduced a bill to end [the] Market Promotion Program—a \$200 million program that hands out checks to some of the largest and most successful corporations in America."

The signature on the Feb. 11 "Dear Colleague" letter belonged to Rep. Richard K. Arme, R-Texas. Attached to the Arme-gram was a copy of the Feb. 2 Associated Press story, by Jennifer Dixon, that lifted the Market Promotion Program (MPP) from obscurity to notoriety practically overnight.

"WASHINGTON.—McDonald's got \$465,000 from the Agriculture Department last year for ads, paper tray liners and counter displays promoting Chicken McNuggets to customers around the world.

"Campbell Soup Co. spent part of the \$450,000 it got from the government to remind the people of Japan, Korea, Argentina and Taiwan to have a V-8 juice. Joseph E. Seagram & Sons Inc. touted its Four Roses whiskey in Europe and the Far East with \$146,000 for the department."

Arme is a Ph.D. economist, a breed that is to farm subsidies as the mongoose is to the cobra. Of the House Agriculture Committee's members he says, "They have become so successful in esoterrorizing [sic] their subjects that they have effectively fenced out everyone else." Ever since he came to Congress in 1985, he has made a hobby of taking legislative potshots at vulnerable farm programs—currently, the Market Promotion Program.

"It is a completely outrageous case of corporate welfare," Arme said in a recent interview. "A big plum that the Agriculture Committee handed out to their friends."

Arme isn't alone. In March and April, House and Senate committees held hearings on the program. Rep. Charles E. Schumer, D-N.Y., denounced the program as a "bloated corporate welfare program." Sen. Wyche Fowler Jr., D-Ga., said that the program's

initials stands for "More Perks, Please." Rep. Peter H. Kostmayer, D-Pa., has introduced a bill to cap benefits and disqualify big companies.

"This program is almost a metaphor for what's wrong when it comes to federal budgeting," Kostmayer said in a recent interview. "These are out-and-out subsidies to some of the largest corporations in this country. There seems to be almost an inability to say no to anybody anymore."

Any program that dispenses \$200 million a year in public funds for private advertising is bound to have its advocates, too, and they're more apologetic than apologetic. "We're not looking for subsidies, we're talking about partnerships," said John De Luca, the president of the Wine Institute. The institute, which represents the California wine industry, is slated to get \$14.3 million under the program this year, making it one of the program's largest beneficiaries.

What about Kostmayer's proposal to cap benefits? "How small-minded, for God's sake," De Luca said. "Simplistic thinking is driving this country into the ground when it comes to global competition."

There's a bit more here than meets the eye. Believe it or not, the debate over this oddball program is a microcosmic version of a much larger and more important argument: namely, the argument over strategic trade policy, and whether it's a necessity or a chimera.

The key idea behind strategic trade policy is that by helping certain industries or sectors compete in important and fiercely competitive global markets, the government can add to the country's wealth. That's also basically the argument for the MPP.

The program's detractors speak the 1970s language of anticorporate populism ("Betty Crocker, Welfare Queen"). Its supporters speak the 1980s language of industrial policy (government-business partnerships to leverage private investment into expanding foreign markets).

And so the MPP is worth a closer look. Is it softheaded welfare for the well-connected? Or hardheaded strategizing for competitiveness?

#### SUBSIDIZED SALES PITCHES

The program—originally called the Targeted Export Assistance program—was created in the 1985 farm bill, partly as a reply to foreign trade subsidies, and partly as a gimme for California fruit, nut and vegetable growers who otherwise get little from the farm bills. (Last year, all five of the top corporate beneficiaries were based in California.) It passed with little debate and no major opposition.

This was no model program, especially in the early years. The General Accounting Office (GAO), among others, strongly criticized it for giving away money haphazardly. James A. Moody, a Washington lawyer, recalls applying for money on behalf of one of his clients, Sequoia Orange Co. of Exeter, Calif.: The application was nothing more than a one-page letter. "It was the easiest \$200,000 I've ever applied for."

Congress answered by tinkering with the program in the 1990 farm bill, and the Bush Administration has done some tinkering of its own. At the Agriculture Department's Foreign Agricultural Service, associate administrator Stephen L. Censky said: "We think that with the improvements we have made in the last two years, it is a significantly better program and a significantly different program." The GAO agrees—sort of. "There have been some improvements in management," said Phillip J. Thomas, the

GAO's assistant director for international trade. "They have tightened up the program, but they have not eliminated all the problems."

Here's how it works. Every year, the program must give out \$200 million for projects to promote American farm goods overseas. The recipients are trade groups of all kinds, from the Alaska Seafood Marketing Institute (\$8.52 million to sell U.S. salmon) to the Wild Blueberry Association of North America (\$26,000). The list of products promoted includes practically everything. Just some examples: nectarines, canned fruit cocktail, wood products, eggs, soybeans, prunes, walnuts, raisins, candy, avocados, pistachios, hops, bourbon, ginseng, mink furs and—everyone's favorite—bull semen.

If the Agriculture Department approves their plans, the trade groups can spend their federal dollars for generic "buy American" promotional campaigns. Or they can give the money to specific companies for brand-name advertisements. Either way, there's a matching requirement: at least 5 percent private money for generic campaigns, at least 50 percent for brand-name ones. As of now, the program's budget is split 60-40 between generic and branded promotions.

And so, for instance, the American Soybean Association gets \$10.4 million this year to push soybeans abroad, mostly in Europe. Sunkist Growers Inc., which received almost \$10 million last year to sell citrus, used its MPP money for promotions such as the Japanese poster that's reproduced on page 1509.

Overseas, U.S. companies can use such promotions as bait. For example, the promise of MPP-backed advertising lured a giant Hong Kong beverage company to switch from Brazilian oranges to Californian. The beverage company put "Sunkist" on its label, and Sunkist helped promote the juice. That sale, says William K. Quarles of Sunkist, would have been "completely impossible" without federal help. "We were not competitive based on price alone," he said, "but when you add this particular factor, we became competitive."

And that is how McDonald's winds up with \$465,000 of government money to sell Chicken McNuggets in Asia.

The program's advocates, including the Bush Administration, see little need to apologize. "I have to say to you," said Roger D. Runningen, the Agriculture Department's chief spokesman, "that the Market Promotion Program has been over all very much a benefit to U.S. agriculture, not only in promoting more exports but in promoting more value-added exports, and in turn up to 38,000 new jobs."

The populists charge that the program subsidizes big companies—which is undeniably true. Kostmayer's bill, accordingly, would limit benefits to \$500,000 per company per year, and it would disqualify companies with annual sales of \$500 million or more, on the theory that such companies can fend for themselves.

Just one problem: If the goal is to promote U.S. exports, why disqualify a company merely because it's big? Big companies, after all, can often mount the most effective export drives, and they're often up against gigantic entrenched competitors. That's why Japan's postwar industrial policy never hesitated to support huge industrial combines.

Sure, E.&J. Gallo Winery got \$5.1 million last year to sell wine abroad. But, said the Wine Institute's De Luca, "it's a drop in the bucket compared to what we're up against."

From the supporters' point of view, the attacks on "corporate welfare" are just the

sort of knee-jerk business bashing that hinders America's competitive standing. It's "very tired thinking, as though this is another domestic program" rather than a response to international pressures, De Luca said.

That still leaves open the question, though, of whether the case for the Market Promotion Program makes sense on its own terms.

#### FREE-MARKET FLAWS?

America suffers from no shortage of advertising. When it pays, companies do it.

Yet, under special circumstances, it might make sense to finance private advertising with taxpayers' money. Two criteria would need to be met. First, there must be strong evidence that a flaw in markets leads companies to do less advertising than actually makes economic sense. Second, there must also be a compelling national purpose for using public funds to help fix such a flaw.

Agriculture is a fragmented industry, and promotion is expensive. A single U.S. cotton grower would have to spend a small fortune to advertise American cotton in, say, Japan; yet he'd capture only a tiny share of the benefits. So a market with many sellers might result in a "suboptimal" amount of promotion. That's the case for intervention.

There is, however, a nongovernment solution: Farmers can form trade groups and cooperatives. And they do. Sunkist, a cooperative of 6,500 citrus growers, is one such association; the Wine Institute is another. "I can't think of a single commodity that doesn't have a trade organization," said Moody, the lawyer. Such associations don't solve the problem of free riders—companies or farmers who won't join but benefit nonetheless. They clearly help, though.

In any case, there is no market-failure argument for brand-name advertising, which accounts for two-fifths of the MPP's budget. After all, the benefits of brand-name advertising are captured by the advertiser. When McDonald's advertises for McDonald's, it isn't doing anyone else a favor.

It's generally agreed, in fact, that brand-name advertising—touting Big Macs, for instance—is more effective than generically touting the tastiness of American beef. So the most effective form of promotion is the form that corporations are likeliest to do anyway.

That raises another question. The MPP must be doing one of two things: including companies and trade groups to do additional advertising or helping to pay for advertising that they would have done anyway. In the former case, the advertising can be at best marginally productive, because an ad campaign you wouldn't undertake without a subsidy can't be a very high business priority. In the latter case, the government payment is just a windfall.

To what extent, then, are the feds merely picking up the tab for ads that would have been placed anyway? "That's the \$64,000 question," said John B. Campbell, who oversaw the Market Promotion Program at the Agriculture Department and now is an executive of Ag Processing Inc. in Omaha. "Would a company have done this absent federal assistance? I don't know if there's any way to answer that."

The subsidy undoubtedly adds some amount of promotion overseas. On the other hand, it probably also diverts some private money wastefully into unproductive advertising. Take the case of Sequoia Orange Co.

Sequoia, like Sunkist, sells oranges in Japan and Hong Kong. In those markets, Sunkist and others use MPP money to lure

foreign customers—in competition with Sequoia. And so Sequoia, to protect its own customer base, followed suit, using the government's money to advertise Sequoia's oranges in stores. "As a matter of survival, we at Sequoia have elected to use the program," said Carl A. Pescosolido Jr., Sequoia's co-owner. "We did it purely as a defensive measure."

Remember, though, that the program has a matching requirement. To qualify for \$200,000 of federal money, Sequoia had to put up \$100,000 of its own. Pescosolido says that for a company as small as his, brand-name advertising abroad makes no economic sense. And so his \$100,000 was "like pouring water into a sewer—just a total waste."

Well, maybe some of this spending is justified if the end result of the program is to add to U.S. farm exports. That's the other big argument for the program.

U.S. wine exports were \$30 million in 1986 and \$150 million in 1991. "We attribute that heavily to the Market Promotion Program," said the Wine Institute's De Luca. The Cotton Council International says that over the same period, U.S. cotton exports increased from 5.3 million bales to 7 million. Sunkist says that revenues in Japan have risen from \$119 million in 1985 to more than \$200 million in 1990. And so on.

The problem is that farm exports are influenced by countless factors, from changing consumer tastes to exchange rate shifts to typhoons in India. From 1985-90, for instance, Japan opened its citrus market—surely a major reason for Sunkist's sales increase. Asking how one government program affects the over-all export picture is like tracking an individual drop of water in the sea: impossible even in principle.

Typically, program advocates compare exports in 1985 to exports today. But in 1985, the dollar was in the stratosphere, rendering U.S. goods very expensive in foreign markets. Since then, the dollar has fallen sharply, leading to an across-the-board export boom. From 1985-90, exports of nonfarm merchandise rose by 67 percent. Yet farm exports, despite the help of the MPP and other programs, rose by only 36 percent. Not so impressive.

MPP undoubtedly increases farm exports somewhat. But at what price? Proponents point to a cost-benefit study that the Agriculture Department performed last June which found that each dollar of promotional assistance may increase U.S. exports by \$2-\$7, depending on the assumptions used. That, however, was only the good news. The bad news was the study also found that the program's benefits were just about offset by its costs to American consumers and taxpayers.

If that's right, then the program is just shifting money from nonfarmers to farmers—which is what most farm programs are all about. In that case, the program is welfare after all. Instead of correcting a flaw in the market, it's just robbing Peter to pay Paul.

**A MATTER OF PRIORITY**

Are the payments worth making? Maybe. But it's easy to think of uses for \$200 million that might be more pressing. "At a time when you're running the huge deficits that we're running now, it's much more difficult to justify this kind of expenditure," Leon E. Panetta, D-Calif., the chairman of the House Budget Committee, said in a recent interview. "You almost have to consider eliminating programs like this one."

Even supposing that the program works as strategic policy rather than just as welfare, the questions don't stop. Obviously, the gov-

ernment can't subsidize everything; resources are limited. If the United States is going to subsidize the promotion of exports, why favor farm exports? Why not biotechnology? Machine tools? Telecommunications? Pharmaceuticals?

According to the GAO, in 1991 the MPP's \$200 million was more money than the Commerce Department spent on all its export promotion programs combined. In Japan last year, the MPP spent \$64 million promoting U.S. farm goods, while Commerce spent a fifteenth of that amount promoting everything else.

In fact, (Agriculture Department programs account for 74 percent of all U.S. spending for export promotion, even though farm products account for only about 10 percent of U.S. exports.) Agriculture is one of America's most competitive industries; the automobile industry is in trouble. Why promote raisins in Asia rather than cars? Why potato chips rather than computer chips? No justification has yet been offered.

Lacking "any government-wide strategy or set of priorities," the GAO said in recent congressional testimony, "taxpayers do not have reasonable assurances that the public's money is being effectively used to emphasize sectors and programs with the highest potential returns."

Opponents of strategic trade policy have long argued that the choice of beneficiaries would be based on sound politics rather than sound economics. The MPP is consistent with their contention.

That leaves one remaining justification. It's that other countries are doing it too, only more so.

Take oranges again. According to Sunkist's Quarles, the European Community (EC) has slapped discriminatory tariffs on non-EC oranges. The scheme was ruled illegal under the General Agreement on Tariffs and Trade (GATT), but the Europeans were undaunted. "So we got pushed out of the EC and had to take that volume of fruit and move it from the EC to the Orient," Quarles said. "We were very successful in doing that with the help of the Market Promotion Program."

Or take soybeans, which the EC began heavily subsidizing in the 1970s. Those subsidies, too, have been ruled illegal under the GATT—and again the EC has paid little heed. The American Soybean Association says it uses most of its \$10.4 million in MPP money on promotions intended to help them hang on against the onslaught in Europe. "If we're going to be competitive in this market," said Dennis Blankenship of the American Soybean Association in St. Louis, "we need federal assistance to do it."

The case is similar with wine and many other crops. Agriculture is the most heavily protected and subsidized sector in the world; subsidies in America, Europe and Japan cost taxpayers and consumers an estimated \$300 billion a year. By way of a response, \$200 million in annual advertising subsidies is far cheaper than direct subsidies of farm exports (though the United States has some of those, too), and it is clearly legal under the GATT.

"To me," said Campbell, "it's a small amount of money to spend for such a large portion of our industry."

Here, as ever, economists have a snappy answer, and Arney is ready with it. "I have no doubt that other countries engage in irrational and unnecessary public policy," he said. "That doesn't mean we should do the same."

In the end, the Market Promotion Program is a case study in the way agricultural sub-

sidies around the world justify one another in a global game of beggar-thy-neighbor that never ends. Foreign barriers and subsidies "will never completely go away," Sunkist's Quarles said. "Every country has an interest in trying to protect its agriculture, and if it's not these barriers that we're facing today, they'll be dreaming up new ones tomorrow. So I really think the program should continue indefinitely."

It might. Of his own effort to abolish the Market Promotion Program, Arney said, "It's going to take a long time." So far, the global score is economists zero, taxpayers and consumers minus 300 billion.

**AND THE WINNERS ARE \* \* \***

Here are the 11 companies that received more than \$1 million for brand-name promotions under the Market Promotion Program in 1991, along with the dollar amounts (in millions) and the product promoted. The top five companies are California-based; two other companies are foreign-owned.

Company	Millions	Product
Sunkist Growers Inc	\$9.9	Citrus.
Blue Diamond	6.2	Almonds.
E. & J. Gallo Winery	5.1	California wine.
Sunsweet Growers Inc	3.7	Prunes.
Sun-Maid Growers of California	3.6	Raisins.
Pillsbury		
Co	2.9	Processed corn.
John West Foods (U.K.)	1.8	Alaska salmon.
American Legend	1.1	Mink.
Tyson Foods Inc	1.1	Poultry.
Wrangler (Japan)	1.1	Cotton.
M&M/Mars	1.1	Candy.

Source: Agriculture Department.

Mr. BRYAN. Mr. President, my point, as I had said at the outset, is not that I object in principle to agricultural export assistance. I think a case can be made for it in the global marketplace. But I must say no case, in my judgment, can be made for a program that is as ill defined in terms of what its strategic objectives are and how those determinations are to be made, what companies are to be considered, whether it is domestic or foreign, how large, how small, what markets are to be penetrated and, indeed, under what circumstances ultimately the company that receives the benefit of this program is to be weaned from that program and say, look, we have helped you but now it is time for you to go it alone.

I think it is very hard, indeed, to say to the American taxpayers that our good friends at McDonald's, the great company that they are, successful as they are, international as they are, that with an advertising budget in excess of three-quarters of a billion dollars that they need the American taxpayers' support.

Moreover, there is no way under the present structure of the program to ascertain whether moneys that are provided by the American taxpayer are not just substituted for an advertising budget that would already be expended by the company, the so-called additionality issue. There is no indication that, indeed, we are getting an extra bang for our buck.

Maybe all we are doing is simply reducing the advertising expenditure of some of the major corporations in

America, some of the largest foreign companies who do business in our country who also receive benefit.

Mr. President, if we are serious about the deficit, talk is cheap, action is dear. If we are serious about the deficit, this is an opportunity for us to begin and a savings of \$100 million is an important step in the first direction. I thank the Chair, and I yield the floor.

Mr. BROWN. Will the distinguished Senator yield?

Mr. BRYAN. I will be happy to yield to the Senator from Colorado.

Will my colleague yield for a moment? I am told we need to correct a parliamentary point here for just a moment.

AMENDMENT NO. 2778, AS MODIFIED

Mr. BRYAN. Mr. President, I ask unanimous consent that my amendment be in order, notwithstanding the adoption of the Simon amendment, and that the amendment be modified to reflect the new figure in this appropriations bill with the change I now send to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator has a right to modify his amendment.

The amendment is so modified.

The amendment, as modified, is as follows:

On page 87, line 24, strike "\$170,700,000" and insert in lieu thereof "\$75,000,000".

Mr. BRYAN. Mr. President, I will be happy to respond to the questions of my friend from Colorado, the junior Senator.

Mr. BROWN. Mr. President, I simply want to indicate my support for the distinguished Senator's amendment. In the interest of full disclosure, I ought to indicate to the Chamber that I have been a member of the board of directors, U.S. Meat Export Council which has been active in using these funds, promoting the use of these funds. I headed the international marketing division of a major meat processing company that uses these funds currently in promotion of their meat. I have been active in a variety of associations and the American Meat Federation, actively engaged in this program, is located in Denver, CO, my home—at least where I was born and grew up—and located in the State that I represent.

I mention all of that, Mr. President, because I think the point the distinguished Senator made is a very important one. There is value to this program. It has significance in aiding us to export products. But the crisis we face with regard to the budget deficit is so enormous and so severe that it is time in this Chamber that we be willing to look at expenditures, even though we may like them, even though they may serve a good purpose, even though they may help in some areas. I am convinced that this is a courageous move on the part of the Senator; that it identifies funds that, while they

serve a useful purpose, are not a high enough priority to plunge this country into a greater deficit.

So I will support his amendment. I will do it with great appreciation for the courage that he shows because I know there are many in his State that receive benefit from these funds. I can only hope that the rest of the body will not only follow his good example but be willing to apply this same standard of placing the good of the country above personal or private needs. I yield the floor.

Mr. BRYAN. I thank the distinguished Senator from Colorado for his kind remarks and comments and welcome his support.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, the Senator from Nevada has rapidly become one of the most respected Members of this body. He always presents his positions and cases eloquently and with force. In this particular instance, I must reluctantly resist his amendment and resist it strongly. It is an argument that the Senator from Nevada makes that without any counter sounds very persuasive. But, Mr. President, I want you and my colleagues to just listen briefly to what we are talking about.

In 1985 in the farm bill, we put a program in there called targeted export assistance. The whole idea of targeted export assistance was to compete with the European Economic Community who was and continues to subsidize exports to the tune of \$1.5 billion a year. This year, 1992, we are subsidizing under the market promotion program which the Senator seeks to dramatically cut to the House level. We have \$200 million in our Market Promotion Program and the European Community is by far and away our chief competitor. It is very difficult for us to compete with the French when it comes to wheat. I could go through a whole litany of products grown in Western Europe that the EEC subsidizes heavily.

In 1990, we changed the name of the targeted export assistance program to the market promotion program and that is what it has been known as since 1990.

Mr. President, you would get the impression by listening to the Senator from Nevada that somehow or another this is a brand new concept. The truth of the matter is the Export-Import Bank heavily subsidizes exports.

There are all kinds of programs where we do in fact subsidize American industry and American agriculture because we have to compete.

Now, we found under the targeted export assistance program that you do not get very much bang for your buck when you are just promoting rice, or you are promoting cotton, or you are promoting poultry products.

When I first looked into this, I would have joined the Senator from Nevada because it looked to me like a pretty bad program. For example, Blue Diamond Almonds has done a magnificent job of exporting almonds. If you give the same amount of money to promote generic almonds—everybody grows almonds—you do not get anything out of it.

What is the difference in trying to help the farmers of America and Boeing Aircraft in Washington? Boeing Aircraft would be cut out of all kinds of markets all over the world if it were not for the Export-Import Bank.

But the thing you must bear in mind is most of this money is going for branded, further processed products, what we call high-value agriculture products. You cannot very well ship—well, you can. You can ship whole chickens and export them, and as you know I have a deep and abiding interest in the poultry business. You can export chickens. But if you cut that chicken up, cook it, put it in a freezer bag and ship it, you have kept a lot of jobs in the United States. This program alone contributes over 38,000 jobs a year.

Now, Mr. President, in addition to that, if a company manufacturing or processing a branded product wants to get in on this deal, they not only have to compete for it; they have to put up 50 percent of the money. Since 1985, when we started the targeted Export Assistance Program, I say to the Senator, we now export in high-value products, what we call further-processed products, \$19.5 billion a year. That is a 75-percent increase since the program was started in 1985.

Now, you add it up, I say to the Senator. The country is in a recession. Governor Clinton talks incessantly about jobs. People on this floor on both sides of the aisle talk incessantly about jobs.

I just got through telling you that for every \$1 billion we export in these high-value products, we create 38,000 jobs. What does it cost? Listen to this. We are putting \$200 million in this program this year and the Department of Agriculture says—they cannot say with certainty—that generates \$400 million. Let me put it another way. That generates \$2 to \$7 for every dollar we put into it. Let us just assume that for every dollar we put into it, it generates \$5. For \$200 million, we will have generated \$1 billion in exports and created 38,000 jobs. You tell me, I say to the Senator, where else in the U.S. Government you can create 38,000 jobs for \$200 million.

Now, Mr. President, we have cut the program some. The House, as my father used to say, cut the whey out of it. They cut it to \$75 million for 1993.

Now, I rise to say, so far as those foreign companies getting the benefit of this, of all the billions we have put into

this, they got \$43 million, but that is not just a bunch of foreigners ripping off the U.S. Government. This is foreign companies which participate by buying our commodities—our commodities, not theirs.

And so, Mr. President, this program maybe has not been managed quite as well as it ought to be. I have seen a couple of negative stories about it. But I can tell you I just gave you the proof of the pudding—\$19 billion in high-value products being exported in 1991 and a lot more in 1992 because of this program.

And Secretary Madigan, let me say to my colleagues on this side of the aisle, your Secretary of Agriculture, has sent me a letter strongly urging us to fund the full \$200 million and sending out many of the statistics I just gave you, and more.

So, Mr. President, the Senator from Nevada knows that I cherish his friendship. I consider him a very valued friend. But I consider him dead wrong on this amendment.

I know where you can get the emotion aroused on things like this, but the truth of the matter is when you can get this kind of bang for the buck and you want to help Boeing Aircraft, McDonnell Douglas, you want to help everybody in the world, but when it comes to helping exportation of farm products in this country, trying to get the product at a level farmers can stay on the farm, somebody raises the specter of \$43 million going to some foreign company, and they are buying our products. God bless them.

I yield the floor.

Mr. SEYMOUR addressed the Chair.

The PRESIDING OFFICER (Mr. HARKIN). The Senator from California.

Mr. SEYMOUR. Mr. President, Senator BRYAN had about convinced me in his presentation that this, indeed, was corporate welfare. But I know better than that. And Senator BUMPERS, with his distinguished presentation, I think underscored some very important points to consider before we pull the rug from under one Government program that makes money.

How can the Market Promotion Program be called a corporate welfare program, or a program that any political leader with any guts would take on and eliminate, if in fact it is a Government program that makes money.

I guess I have to start, Mr. President, by going back to the time when I was mayor of the city of Anaheim, home of Disneyland. Our business was conventions, tourism. When I was elected mayor, I promised the constituents I was going to run a lean, mean machine. We were going to have a tight budget. We were going to place a limit on taxes; in fact, we were going to cut taxes.

Along came a program to promote tourism in the city. I said, no, that is another bureaucratic waste. They said:

You might know the real estate business, John, but let us show you a little bit about tourism. What they showed me was that for every dollar we put in as a city, \$8 would come back into town through more tourists, more conventions, more hotel revenues, and more retail sales.

So when I became a legislator in the California State Legislature, I supported a tourism program on the State level. And, Mr. President, I support it on the Federal level as well. This is a return on the taxpayer's buck. The MPP is no different.

Senator BUMPERS has indicated some criteria as to how he sees the return. Let me share it from my viewpoint, California's viewpoint. By the way, Mr. President, although I tout tourism in California, and it is indeed very important to my State, that is not its No. 1 industry. The No. 1 industry in California is agriculture. It is larger than in any other State in the Nation. California agriculture is the breadbasket of the United States. Let me tell you what the Marketing Promotion Program has done for California products—for jobs and for California's economy.

California table grape growers have participated in the MPP since 1985. Since that time, their export value has increased 232 percent. Their export volume has increased 208 percent. That did not just happen. That takes a lot of promotion.

We hear a lot of talk in this Chamber about protectionism, isolationism. We have to protect our jobs. We have to protect our industries. We are getting ripped off by our foreign competitors.

Mr. President, the MPP increases agricultural exports, creating jobs and benefits the entire U.S. economy. Why would we cut it by \$100 million dollars as the Senator from Nevada proposes.

Let's consider several other California commodities. California almond growers have achieved remarkable success in Japan by matching MPP funds to promote and advertise California almonds in Japan. MPP funding has opened up an additional 94 foreign countries for California almonds. Prior to 1984, California raisin exports were at levels of approximately 50,000 tons per year. Since the industry began participating in the MPP, it has grown significantly over the past 7 years. The raisin industry's annual export shipments have increased from 66,360 tons to 111,946 tons in 1991. That did not just happen. Sure, we have a good product, but it did not just happen. You have to sell it. And you have to overcome a hostile market environment.

My point is, Mr. President, this is a program that returns revenues to the Treasury. It does not take revenues from the Treasury. The MPP creates jobs, not just on the farm, but in numerous other sectors as well, throughout California.

The Senator from Arkansas said the MPP is directly tied to at least 38,000 jobs. He is right. That is 38,000 jobs. But I see even more jobs than that in the MPP. USDA estimates that U.S. agricultural exports, in total, provided more than 1 million jobs in the United States in 1990—jobs in processing, packaging, transportation, and other services—and more than half of those jobs, Mr. President, 52 percent to be exact, came from high-value exports. That is what we are talking about—high-value exports. That is California's niche in the international marketplace—high-value exports. Avocados, walnuts, pistachios, strawberries, wine, oranges, cotton, kiwifruit, I could go on and on.

So when Senator BUMPERS talks about our competition in Europe, he is right. They have subsidies. They have subsidies that are extraordinarily high. As much as \$1.5 billion annually. Our way of competing in that marketplace is not to provide a direct subsidy but to provide some market assistance to sell the product. And it works. The MPP works.

It has also been stated, Mr. President, that there are some MPP funds sometimes used for promotion of U.S. commodities marketed under foreign brand names. That is true. But what is not told is that by marketing under those brand names, those companies must use U.S. commodities. Ultimately we are promoting U.S. agricultural products.

This is a value program. I think it would be a very serious mistake to reduce this program to the level reduced, to \$75 million, in the House.

So I argue that when the motion is appropriate, I look to leadership to offer a motion to table the Bryan amendment. I urge my colleague to support the export of high-value agricultural commodities, the creation of thousands of jobs by supporting the MPP.

I yield the floor.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

#### ORDER OF PROCEDURE

Mr. BUMPERS. Mr. President, I was just wondering if we might enter into a time agreement here on these amendments, and give everybody a pretty good idea as to when they can expect to get home tonight.

Would the Senator from Nevada be willing to enter into a short time agreement?

Mr. BRYAN. The Senator from Nevada would be willing to do so.

Mr. BUMPERS. Before asking the Senator to do that, how much time will the Senator from South Dakota need?

Mr. DASCHLE. The Senator from South Dakota needs 10 minutes.

Mr. BUMPERS. The Senator from Arkansas [Mr. PRYOR].

Mr. PRYOR. Let me say to my colleagues that Senator BUMPERS has

done an eloquent job in speaking against the amendment offered by our friend from Nevada.

I think I will take no more than 1 minute.

Mr. BUMPERS. Mr. President, I wonder if we could agree to a 30-minute time agreement equally divided, and on this side we will allocate the 15 minutes under my control and Senator COCHRAN's control if it is agreeable.

Does he have people on his side who wishes to speak?

Mr. COCHRAN. If the Senator will yield, we do have a couple of requests for time over here; maybe up to 15 minutes.

Mr. BUMPERS. That is going to require an hour, equally divided then, because we have the distinguished Senator from Iowa who would like 4 minutes, Senator PRYOR wants 1 minute, Senator DASCHLE would like 10 minutes, the Senator from Nebraska, 3 minutes. Maybe we could agree, at least tentatively, that we could yield some time back.

I ask unanimous consent, Mr. President, that we have 1 hour and 10 minutes, equally divided, between the distinguished floor managers and the Senator from Nevada, and that no second-degree amendments be in order.

The PRESIDING OFFICER. Is there objection?

Mr. PRYOR. Mr. President, reserving the right to object, I do not intend to object. Inasmuch as we are approaching the possibility of a time agreement on this amendment, the amendment offered by the Senator from Nevada, is it possible we could consider time agreements on future amendments?

Mr. BUMPERS. I hope we can get agreement on this, and then go the remaining two or three other amendments.

Mr. PRYOR. We might get an idea on when we might get out of here.

Mr. BUMPERS. Could we get a ruling from the Chair on this unanimous-consent agreement?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Who yields time?

Mr. BUMPERS. Mr. President, I ask unanimous consent that I be allowed to propound a unanimous-consent request without the time being charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Mr. President, the distinguished Presiding Officer, the Senator from Iowa, has an amendment. I would suggest a 20-minute time agreement with the time equally divided.

I ask unanimous consent that that be the order.

The PRESIDING OFFICER. Is there objection?

Mr. BUMPERS. And that no second-degree amendments be in order.

Mr. BROWN. Reserving the right to object, would the distinguished Senator repeat this unanimous consent?

Mr. BUMPERS. The unanimous-consent request is that the amendment of the Senator from Iowa, who has an amendment dealing with travel expenses of the Department of Agriculture, be given 20 minutes with no second-degree amendments in order, 10 minutes equally divided.

Mr. BROWN. I thank the distinguished Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. I thank the Chair.

The Senator from Colorado, according to my notes, has three amendments.

Am I correctly informed?

Mr. BROWN. The Senator is correct. One of them I will withdraw.

Mr. BUMPERS. Which one is that?

Mr. BROWN. The one regarding the elimination of unauthorized research projects I will not offer at this time.

Mr. BUMPERS. How much time does the Senator wish to make a presentation on that?

Mr. BROWN. I will not require any time to make a presentation on that. The two other amendments—one involves fulfilling a study, and was included in our budget resolution.

Mr. BUMPERS. Does that deal with CBO and OMB?

Mr. BROWN. It does.

Mr. BUMPERS. How much time?

Mr. BROWN. I would be happy to agree to 2 minutes.

Mr. BUMPERS. On the Senator's amendment regarding information exchanged between CBO and OMB, I ask unanimous consent for 2 minutes, equally divided, with no second-degree amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Finally, the Senator has an amendment to eliminate the honey program?

Mr. BROWN. Yes. I do not anticipate that it would require a long debate. This body has considered it before. I would prefer not to go with a time limitation at this point, not knowing what might be raised. It may be that it is agreed to unanimously.

Mr. BUMPERS. Does the Senator not like little honey bees?

Mr. BROWN. I mention to the distinguished Senator I am merely trying to implement the proposal of the distinguished Governor from Arkansas.

Mr. BUMPERS. You should get unanimous support on this side. Why do you not want to enter into a time agreement?

Mr. DASCHLE. If the Senator will yield, there is at least one Senator who does not share the Senator's view, unless he is willing to increase it. Short of that—

Mr. BUMPERS. Honey bees have their proponents and opponents.

Mr. DASCHLE. If he intends to eliminate the program, I share the Senator's view that a time agreement would not be in order.

Mr. BUMPERS. Mr. President, according to my notes—and I believe they are correct—we now have a time agreement on all of the remaining amendments, which will take us to about—I am sorry. We have another amendment by Senator GRAHAM of Florida, and he is not on the floor. Perhaps Senator GRAHAM is watching and he will come to the floor.

Mr. BRYAN. Mr. President, if the Senator will yield, the Senator from Nevada has one additional amendment, on which I am happy to enter into a time agreement of 5 minutes for each side. This will simply be an amendment that would limit this MPP program to American companies, thereby excluding the trade organizations or entities that are in part or in whole owned by a foreign national.

Mr. BUMPERS. I hate to do this, but I feel constrained to advise the Senator that that amendment is not on the agreed list.

Mr. BRYAN. We were advised that it was at the time we submitted this to the cloakroom earlier this afternoon. If that did not occur, may I say, with respect to my distinguished friend, this is not something that was not discussed with them.

Mr. BUMPERS. The Senator is free to propound a unanimous-consent request to offer the amendment. I personally would not object. The Senator knows I will be happy to accommodate him. It is not in the order.

Mr. BRYAN. I will do so. Mr. President, I ask unanimous consent that the amendments which are eligible to be considered be expanded to include the amendment which I have just described, and that it be subject to a time limitation of 5 minutes on both sides.

Mr. COCHRAN. Reserving the right to object. Mr. President, nobody wants to prevent the Senator from offering any amendment he would like to offer. Obviously, that is germane to this bill and relevant to the issues we are discussing here.

This amendment is not protected under the unanimous-consent agreement that was worked out earlier in the day. Senators were given notice, if they had amendments, to submit them and be listed; and if it is not on the list, I hope that the Senator will not insist on offering that amendment. There is an MPP amendment described as being offered by the Senator from Nevada. It was the impression that this Senator had—and I am sure others, too—that the amendment pending before the Senate was the amendment contemplated in that order, and no other.

Mr. BRYAN. If I may respond, it is certainly not the intent of this Senator to delay further consideration. This is

not offered by way of delay. Perhaps there was a miscommunication or misunderstanding. This Senator was under the impression that that amendment had been discussed, it was on the list and, if it was not, I am certainly not suggesting that there is anything other than inadvertence, or a failure of communication, perhaps on our part, or by those with whom we communicated.

Mr. COCHRAN. Mr. President, let me suggest another reason for my raising the reservation, if I may further reserve the right to object. The amendment described by the Senator from Nevada is not an amendment to either add or delete funding to the bill. It is legislation that describes the eligibility for benefits under a program funded under this bill. The order that was entered into, as I read it, waives second-degree amendments, or prohibits second-degree amendments, and in other ways limits the rights that other Senators might have to confront the effort that the Senator is attempting to make in the amendment he describes.

So I hate to object to the amendment, but I will be constrained to do so if the Senator insists on trying to offer an amendment that amounts to legislation on this appropriations bill relating to eligibility funding under that program.

Mr. BRYAN. The Senator certainly made himself clear, and I understand his position. The Senator from Nevada was under the impression that this had been considered and was a part of the unanimous-consent agreement. I accept responsibility, as each of us do, if that were not the case. I apologize to the floor manager. It is not my purpose to delay the proceeding. It ought to be clear to my colleagues that this is an issue I feel very strongly about, recognizing their right to disagree. This was certainly part of the amendments we had proposed. And, again, I understand the Senator's position.

I renew my unanimous-consent request, and I understand the position my colleague and friend has taken.

Mr. BUMBERS. Has the Senator renewed his request?

Mr. BRYAN. The Senator has.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Who yields time?

Mr. BUMBERS. Mr. President, I yield 10 minutes to the distinguished Senator from South Dakota.

Mr. DASCHLE. Mr. President, I thank the Senator for yielding, and I appreciate his statement.

Mr. BUMBERS. If the Senator will yield, I will announce to my colleagues that Senator GRAHAM of Florida had an amendment, and that has been withdrawn. I also hope we might be able to

yield a little time back and get out earlier than anybody expects.

Mr. DASCHLE. Mr. President, I may not need the full 10 minutes, because so much of what has been said are points that I felt were important that we raise, as we consider the amendment of the distinguished Senator from Nevada. As the distinguished Senator from Arkansas has indicated, he is a very respected colleague and one for whom I have a tremendous admiration and respect. I happen to differ on this particular issue with him for a number of particular reasons. I must say that I have been one of those who has criticized this program in the Agriculture Committee, and in letters and in commenting directly to those officials administering the MPP.

There is no question but that this program can be improved upon. There is no question that in the last couple of years the administration of this program has raised questions. But there is also no question, in my view, that this program is extremely important to agriculture when it comes to our opportunities for trade.

There can be no mistake about it, that as we look to options, as we look to the tools available to us, there are very few that we have today in agricultural trade and in the international markets that have the potential that this program has.

The United States is getting beaten, Mr. President, when it comes to international trade. It is beaten year after year. And for good reason—because our competitors, the Europeans, the Asians, the Australians, and the Canadians, all understand the importance of the export market far better than we do. We really have two choices. Our first choice, of course, is the bulk market, the raw commodity market.

Our other choice is the value-added market. The United States has always been one of the leaders when it comes to the bulk market, the raw commodity market. We have been the real Kmart of the world when it comes to providing cheap priced raw commodity products to anybody that will buy them at bargain basement prices.

But you ask our experts what plan, what strategy we have to ensure that we get into the market where the real profit is, the value-added market, and I have to tell you, one after one, before the Agriculture Committee and here on the floor and everywhere else, they tell you: We do not have a strategy. We hope in some way that the meager amount of money that we put into the MPP will provide us with that strategy, will provide us with an opportunity to get into those markets where we belong in the future.

Since 1983 the global trade in the value-added market has exploded. We have seen a 57-percent increase in that particular market, while the trade in raw commodities grew by only 4 percent.

We have seen a tenfold increase over the raw commodities market when it comes to value-added products; more than a tenfold increase over the raw products. And yet, all we have to promote value-added markets today, all we have to get into that niche where we really see some return on investment, is this meager amount of money that we are spending through MPP.

In 1989, high-value products accounted for almost 75 percent of world agricultural trade. Today, the value-added sector is a \$140 billion market.

High-value products, such as wheat flour, vegetable oil and red meat, provide greater benefits to the exporting nation than raw commodities because value-added processing stimulates economic development, creates jobs and raises government revenues. Every dollar received from agriculture exports stimulates another 1.51 dollars' worth of business activity for the rest of the economy. But all agriculture exports are not equal. Selling a ton of corn overseas does not create the same benefit for the American economy as selling a ton of red meat; selling a ton of wheat does not generate as much economic activity as selling a ton of wheat flour.

During the 1980's, as the value-added market grew, the United States' share of the market stayed relatively constant, at about 8 to 9 percent. The EC, on the other hand, recognized early the opportunities in value-added markets. Today, the EC countries control a 50-percent market share, commanding \$70 billion in value-added agricultural trade last year.

The value-added market is expected to grow through the nineties at 8 to 10 percent annually. If current trends continue, by the year 2000, if nothing changes, the EC will control 50 percent of a \$250 billion market, while the U.S. share will be about 10 percent at \$25 billion, hardly enough to cover the potential declines in trade revenues from raw commodities and to provide growth for the American agricultural markets.

So as I say, Mr. President, the real future for agriculture, if we are going to find a niche, if we are going to see the growth and development of new trade markets in the international sector, the only option for us is the value-added market.

Our trading partners subsidize their agricultural exports. We recognize that. The MPP is an important tool for ensuring that American producers have a share of the same market.

With all the array of tools that they have, if they use them to the degree that they have already indicated an intention to do so, we have no other option but to use the MPP and the few resources that we do have available to us to ensure that we do not give up the market entirely.

The market for value-added agricultural products is a future battleground

in the global economy. Our trading partners subsidize their agricultural exports. The Market Promotion Program is an important tool for ensuring American producers a share of that highly competitive market. To enter the international market without such a program in my view, would be analogous to unilateral disarmament for America's agricultural producers.

In 1990 the European Community subsidized high valued agricultural exports with at least \$1.5 billion. Our commitment pales by comparison. And as the Senator from Arkansas indicated, the elimination of MPP may cost us as much as 38,000 jobs and over \$2.23 billion worth of domestic economic activity.

So if we reduce our commitment to MPP—I hope everybody understands the consequences; I hope everybody realizes what it is we are talking about here—that we really do risk falling further behind in the fight to establish our overseas markets; that we give up that one opportunity to become aggressive, to become competitive, to understand the importance of return on investment.

The House has already voted to cut the program from \$200 million to \$75 million. The Senate bill reported by the Appropriations Committee would cut the program to roughly \$175 million. Even if we vote to support the funding level in the Senate bill there is no question that MPP is still vulnerable to even greater cuts when we go into conference with the House.

The critics of MPP take great pains to highlight abuses of the program. Large corporations and foreign companies have received assistance from MPP. We recognize tighter oversight and reform of the program is clearly needed, but we are doing it.

We recognize that we have to ensure greater oversight, but we are doing that. We also have to realize, Mr. President, that to cut back on the resources, to go beyond those reforms that we are now demanding, to go beyond the oversight that we are now requiring, would do an extraordinary injustice to American agriculture.

What we hear very little about are the benefits that have accrued to smaller businesses and producers who desperately need help in penetrating the world market. MPP funds are used to partially reimburse program participants to help them execute marketing plans that have been submitted to USDA. For every dollar spent under MPP, the U.S. Department of Agriculture has documented that sales of agricultural products promoted with MPP funds have increased \$2 to \$7 on average. That translates to \$400 million minimally and perhaps up to \$1.4 billion worth of additional exports every year. So for \$175 million, Mr. President, we may be generating \$1.4 billion in return on that investment. These are

sales that, for the most part, would not have been realized without assistance from MPP.

The answer to problems with MPP is not to destroy the program through the appropriations process, but to address the failings of MPP through tighter guidelines.

Over the past year, USDA has instituted a number of management changes to make the program more efficient. If problems persist, the Agriculture Committees will consider changes in the program to address issues raised by critics, rightfully so in many cases. These changes could include: increasing the regulatory requirement for U.S. content in promoted products; improving auditing procedures; means-testing for participants; capping the annual funding for participants; and graduating participants, if it may be necessary.

Under the 1990 farm bill, USDA is directed to develop a long-term trade strategy. This strategy will guide USDA trade programs for the future. I am afraid to see what this strategy will look like without a viable MPP.

So, Mr. President, tonight I urge my colleagues to reject the amendment offered by the distinguished Senator from Nevada; to recognize the importance of this small program; to recognize the importance of agricultural trade; to recognize the importance of the contribution of agricultural trade to our deficit and our balance of payments; to recognize that ultimately, our future lies in marketing—not in farm programs that ultimately may be eliminated entirely. This may be one of our few real hopes of securing the kind of agricultural competitiveness that we want so badly.

As we face the challenges in GATT, as we face the challenges in the North American Free-Trade Agreement, as we face continued pressure on the part of the EC, and a lot of other efforts posed by competitors today, it is all the more important that we realize the importance of this program and the importance of its retention.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. COCHRAN. Mr. President, on behalf of the managers, I yield to the distinguished Senator from Alaska 5 minutes.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 5 minutes.

Mr. MURKOWSKI. I thank the Chair.

Mr. President, one might wonder why the Senator from Alaska would involve himself in agricultural matters. But I think it is important, as we look upon our seafood industry as agriculture from the sea—renewable resources in the same sense that production from farms throughout the Nation is renewable.

Mr. President, in a perfect world, we would not be debating the merits of cutting of the MPP program. But in order to make our products competitive, clearly we have to enter foreign markets on the same basis as foreign products in those markets. This amendment suggest a substantial reduction from \$170 million to approximately \$75 million; a cut of \$100 million, or thereabouts.

The consequences of this for fish products, I think bears some examination. Since 1989, in our State of Alaska, salmon exports to the United Kingdom have increased some 210 percent through the MPP-funded program.

Last year alone, the market share for canned red salmon increased from 44 to 52 percent. One might wonder, Mr. President, what the competition is. The competition comes in from Chile and Norway, which have increased their participation in the world market as a consequence of government assistance.

In France, to give another example, the MPP-funded program, in mid-1991, allowed one distributor of Alaska fish to triple his sales despite heavy competition from subsidized Norwegian fish.

You will note, Mr. President, that I use the word "subsidized." That is what we are faced with—the reality that other nations are prepared to subsidize their agricultural and fisheries products to get them into the world market. If we are going to be competitive, we are going to have to meet their efforts with clear vision.

I think it is also important to note that, if we look at where we would be without this assistance, we realize that a number of jobs would be lost if the amendment passes.

I have seen estimates that the return on our investment in this program is at least three to one.

Well, if you recognize the number of jobs that are created and the offset to the balance of payments shortfall which our exports provide, and you realize the significance of this amendment. In addition, most of these activities involve small businesses. As a matter of fact, a majority do; 84 percent of the firms getting MPP funds last year were small businesses.

Now, the reality is that without this assistance, we simply cannot be competitive. If we could—through our trade negotiators—abandon all types of government assistance and promotional programs or subsidies throughout the world, then, indeed, we would be on an equal playing ground. But that is not reality.

If we abandon this type of promotional program, we are not going to be competitive in the world market. The return on our investment in the MPP program, this Senator from Alaska thinks, is justifiable. Because, Mr. President, we have to recognize that

there are other nations, particularly the emerging nations, that are developing their ability to compete. Their costs are lower. And when they put the full faith and credit of their Governments behind subsidies, we are clearly at a disadvantage.

Mr. President, we also must recognize that this has been a very successful program in the past. It has been used by over 61 organizations and 400 companies. It has made a great contribution to the U.S. agricultural exports which are one of the few bright spots in our trade picture. And I am interested because seafood from Alaska, salmon in particular, is a leader in that regard. We produce 31 percent of the world's supply of salmon.

The reality is that we are able to produce more by our technology, by our agriculture, and in our pristine waters. As a consequence, given the opportunity, we can be competitive in this international marketplace against the countries whose producers are enjoying the subsidies.

Mr. President, I thank you for the allotted time, and I urge my colleagues to reject the standing amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BUMPERS. Mr. President, how much time does the Senator from Nebraska wish?

Mr. KERREY. Three minutes.

Mr. BUMPERS. I yield 3 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 3 minutes.

Mr. KERREY. Mr. President, I rise in opposition to this amendment. I would like to make a couple of points.

First of all, this is an effort to create the promotion of jobs in this country. This is a jobs issue. The idea of value added is translated in American communities, in communities like the State of Nebraska, into real job opportunities. About 8 percent of the people in the State of Nebraska actually work on farms and ranches today. It is down substantially from 1980. And, increasingly, our people on the farms turn to value-added operations, such as the one the MPP program promotes, to find employment.

And the idea of needing to stay competitive with other countries, that point has already been made, I believe, rather eloquently by the acting chairman of the subcommittee as well as by the distinguished Senator from South Dakota.

To those who are wavering, perhaps, as to whether or not to vote for this as an item of Government efficiency, I should point out the distinguished Senator from Nevada has made some valid points. Indeed, the General Accounting Office report that describes this program says that:

Based on our review of the marketing activities in 12 foreign countries, representing

65 percent of worldwide high value exports, we found that foreign competitors conduct market development through centralized marketing organizations, independent marketing boards, and various combinations of public and private sector institutions.

It goes on to say:

Although we found that most foreign competitors we reviewed spend less on high value market development than the United States, some spend their funds in a highly targeted manner, using an integrated marketing approach, which starts with identifying customer needs and moves to the producer who strives to satisfy that need. The Department of Agriculture has invested large sums in foreign market development in recent years but the primary responsibility for conducting foreign market development activities remains with selected private sector associations.

The danger with the MPP program, as well as other efforts we have had with USDA, is that our administration has said essentially we are going to let our own customers make up their own minds; we are not going to interfere with it. We are not going to try to promote pork. We are not going to try to promote soy oil. We are not going to try to promote anything. We will just let them make up their own minds while the competitors are targeted.

For those who are wondering why we on the committee had made an effort to accommodate these kinds of concerns, I assure you we are concerned. Many of the points raised by the distinguished Senator from Nevada are addressed in the report language of this bill: Requiring the U.S. Department of Agriculture to make sure that we are not only targeting this investment but putting the money into smaller companies and making sure that we do not sustain these investments over a long period of time; that corporations are not, once they are provided with a subsidy, kept on subsidy for a long period of time and making sure that large multinational corporations do not merely abuse the intent of this effort.

I urge my colleagues to examine the report language. It is an attempt on the part of the committee to accommodate the concerns raised by the distinguished Senator from Nevada.

I see the Chair is saying my time is up. I urge opposition and defeat of this amendment, and I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. BROWN. I ask for 3 minutes from the distinguished Senator from Nevada.

Mr. BRYAN. I yield the amount of time the Senator from Colorado requested.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 3 minutes.

Mr. BROWN. Mr. President, I will not belabor our deliberations here. We have heard a number of speakers extol the virtues of the program and imply that the reason we are able to export prod-

ucts from this country is because we have the Government subsidy.

Mr. President, if any Member of this body believes that, indeed, they ought to vote against the distinguished Senator's amendment. If the reason we can sell products abroad depends mainly or primarily on the Government subsidizing them, then, indeed, they will find this program attractive.

I must say, I personally have great affection for the people involved in this. I have some association with them and, I suspect, more experience in the industry, in this particular end of it, than any Member of this Chamber. So, if there is an area you wish to subsidize, you could not find nicer people to subsidize and hand money out to.

But let me simply add another word from one who knows something about promoting and selling products overseas or someone who has done that particular function, for someone who understands what is involved here. This is not a particularly efficient way to promote products.

Our products are sold overseas because they make sense, because they are cost-effective, and because they provide the quality that others do not. They do not sell overseas because of subsidy. They sell because of their attributes and because they are competitive. For those who do not believe that I would recommend very highly an opportunity to work in the industry and find out what the real world is all about.

Second, the suggestion that the way to promote products overseas is to subsidize the promotion cost misses the point. What that does is lower the cost of promotion. It does not necessarily—not necessarily—make the product far more salable. And if the purpose of this, this basic program, is to stimulate interest in exports, that can be done much more efficiently through tax credits that provide a much less costly way of doing it and a much stronger incentive.

What we have done with this amendment is simply reduce the cost of providing promotion. That may well be an inefficient use of resources. It may well not provide the incentives we need.

The bottom line is this. This country has a problem with the deficit. If you want to throw money away, this is a good program that goes to good people and I suggest we keep it, but if you are interested in bringing the deficit down and you are willing to fight the deficit in every area, this is an area in which we ought to save money.

Mr. DASCHLE. Mr. President, the Senator from Arkansas has delegated me the responsibility of offering the Senator from North Dakota 3 minutes.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 3 minutes.

Mr. CONRAD. I thank the Senator from South Dakota and the chair of the committee.

Mr. President, the simple question before us is why do we subsidize the marketing and promotion of our products? Mr. President, there is a very simple answer. We do that because our competition does. We are in a trade war with Europe and we seem to be blissfully sleeping through the competition and the assault of that competition and the results that they are achieving.

Our European competitors are subsidizing agriculture at 10 times the rate the United States is—10 times the rate, over \$140 billion a year. The result is very clear. Our European friends have gone from being major importers to being exporters in 10 short years.

Europe has a plan and a strategy. The plan and the strategy is to dominate world agriculture, and they are doing it the old-fashioned way. They are doing it through a merchantilist economic policy. They are subsidizing agriculture by insisting on increased prices from their consumers. They then get additional production from producers. They take that additional production and they put it on the international marketplace at fire sale prices and they increase their world market share. That is precisely what is happening.

The result is, if we allow this to continue the Europeans' plan will succeed. Their plan is very simple and very direct. It is to gain world market share because they believe at some point in this trade war, there will be a cease-fire. They believe it will be a cease-fire in place and they want to occupy the high ground.

The choice for this body, the choice for the other body, and the choice for this country, is whether or not we want to engage in this trade war with an attempt to win by the United States, or whether we want to roll over and play dead and let them take over.

It will be the mistake of our economic lives if we give away world agricultural markets which the United States has dominated for 100 years.

This is a small part of the overall battle plan but we would be foolish to engage in unilateral disarmament when our friends are waging an all-out assault on America's position.

I yield the floor.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. BUMPERS. Mr. President, I think the people who wanted to speak on our side have either spoken or are not on the floor.

Is the Senator from Nevada prepared to use additional time at this point?

Mr. BRYAN. Mr. President, responding to my distinguished colleague, if he is not ready, or those who are opposed to the amendment are not, I suggest the absence of a quorum at this time and that we charge the time equally to both sides.

The PRESIDING OFFICER. Is there objection? If not, the clerk will call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, may I inquire of the Chair how much time remains on each side?

The PRESIDING OFFICER. The managers have 10 minutes and 30 seconds.

Mr. COCHRAN. Mr. President, how much time does the—

The PRESIDING OFFICER. The Senator from Nevada has 31 minutes.

Mr. COCHRAN. Has 31?

The PRESIDING OFFICER. Thirty-one minutes.

Mr. BRYAN. Will the distinguished Senator yield for a moment?

Mr. COCHRAN. I am happy to yield.

Mr. BRYAN. I assure the Senator it is not the intention of the Senator from Nevada to use all of that 31 minutes. The Senator is trying to get some sense of how much time it will take. I think the Senator from Nevada will probably need no more than 10 minutes at the outside.

Mr. COCHRAN. But as I understand it, the Senator does not intend to use his time at this time? Is the Senator trying to reserve all his time until the opponents of his amendment have used all their time? Is that the purpose?

Mr. BRYAN. That would be the purpose of the Senator, yes.

Mr. COCHRAN. Not going back and forth from one side to the other?

Mr. President, if there is no objection from my distinguished colleague from Arkansas, I would like to make a few comments about the amendment and why it is necessary to oppose the distinguished Senator's amendment. I yield myself what time I may consume.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Back in June I inquired of the Secretary of Agriculture, about the request for \$200 million for this market promotion program which had been submitted with the President's budget. As Senators can tell by now, the House provided only \$75 million in its bill for the program. The Senate on the other hand, is being asked to appropriate—or they were when the bill was first developed by the subcommittee—about \$180 million for the program for the next fiscal year.

So our committee had reduced the President's request about \$20 million in a program that has proven to be very helpful and workable in terms of building market demand overseas for U.S. farm-grown commodities and products. That is the purpose of the program. It originally was in the 1985 farm bill as the Targeted Export Assistance Program, designed to deal specifically with unfair trade practices of foreign competitors.

It worked. It worked so well that the administration came in with its request, after that period of time and the experience we have had, and asked for the \$200 million level of funding.

One reason it has worked, I think, is proof of the competition that we are seeing with respect to the European Community. The distinguished Senator from North Dakota pointed out how the Europeans have gone aggressively out to capture the world market in high-value agriculture products; 80 percent of the money that would be appropriated in this account goes to help create market demand in overseas markets for high-value U.S. agriculture commodities. That is where the growth is in the agriculture markets overseas.

So it is targeted for that purpose. And you are looking at what we are confronted with when you realize that the European Community in 1990 spent \$1.5 billion trying to capture the world market in these products; \$1.5 billion compared to the \$175 million, roughly, that is still left in this bill. And now we are being asked by this amendment to take another \$100 million out of that account. Not to spend it on anything else, just cut that account.

I hope the Senate will not approve this amendment. We have fought as hard as we can to stand up for U.S. farmers in the international marketplace. This is one of the tools we are using. We are now negotiating in the Uruguay round of GATT to try to make sure that the playing field is going level, that we are going to be treated favorably, that our exporters and farmers are not singled out for punitive treatment by foreign competitors in the international agriculture marketplace. And at this time, as we are trying to move toward an agreement in the Uruguay round, we are now being asked in this amendment to take away one of the most valuable and effective tools that we have to work with our exporters and farmers to protect their interests in the international market.

I hope Senators will look very carefully at what they are being asked to do in this amendment.

When the time has either been used or yielded back, it will be the intention of the managers to move to table the amendment. I hope the Senate will agree to table this amendment.

Mr. President, I ask unanimous consent that a copy of the letter I referred to from the Secretary of Agriculture be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,  
Washington, DC, June 23, 1992.

Hon. THAD COCHRAN,  
U.S. Senate, Russell Senate Office Building,  
Washington, DC.

DEAR THAD: I would like to take this opportunity to urge strongly that Congress continue funding for the Market Promotion

Program (MPP) at the \$200-million level provided in the President's FY 1993 budget. All the statistics we have about U.S. agricultural exports and all the current trends in global agricultural trade suggest that a cut in funding for the Department (USDA) Market Promotion Program at this time would be short-sighted.

High-value products constitute the fastest-growing component of the world's agricultural trade and by the end of this century are expected to represent at least three-quarters of world trade. In other words, the high-value market is where future growth will be for U.S. farmers and exporters. More than 80 percent of MPP funding is targeted toward building exports of high-value products.

If Congress were to reduce funding for the MPP now, it would seriously jeopardize the ability of U.S. agriculture to compete in this vibrant sector of world trade. The European Community (EC), our main competitor in the high-value market, paid out direct subsidies of nearly \$1.5 billion to producers and exporters of high-value products in 1990. In addition, the EC and member governments also offered their exporters many other indirect subsidies. USDA's \$200-million annual program level for MPP pales by comparison, but it has been sufficient up until now to help U.S. farmers and exporters boost their exports of high-value products. Such exports have risen 75 percent since 1985, reaching a record-high \$19.9 billion in 1991, with another record forecast this year.

The MPP also helps support the creative market expansion work conducted by bulk commodity producer organizations to convince potential customers of the quality attributes, new uses, and superior advantages of U.S. farm products.

U.S. agricultural exports generated as a result of the MPP are directly responsible for as many as 38,000 jobs on and off America's farms and represent as much as \$2.23 billion in additional activity for the U.S. economy.

The MPP has had its critics however, and I would like to address some of the main points of controversy surrounding the program.

Some have claimed the MPP has not really worked to help small exporters. This is not true, however. Small businesses accounted for 84 percent of the 287 firms participating in the MPP last year. The goal of the MPP is to increase agricultural exports as much and as effectively as possible. Thus, neither the law or USDA discriminates by size of company or type of ownership.

Some critics believe the U.S. Government has no business promoting branded products. The MPP however, promotes American food and farm products, not American companies. It is a fact of life that, if we are going to promote high-value-product sales, we are going to have to promote branded products. Two-thirds of the world's high-value-products trade consists of processed items; virtually all of these are produced by branded companies.

An exclusive focus on unbranded activities runs the risk that generic demand can be met by a non-U.S. supplier with a less expensive, lower quality product. For high-value commodities, U.S. taxpayers may get a better return on their investment with branded promotions which build consumer loyalty to a product containing American rather than foreign commodities.

Others have asserted that tighter management controls by USDA would allow the MPP to be operated with less money. In reality, both USDA and participants have a vested interest in running the MPP as effec-

tively as possible because both have substantial sums of money invested.

The Department takes its role as guardian of the taxpayers' money very seriously. In the last year, we have put in place new allocation criteria that targets MPP funds so as to receive the "biggest bang for the buck." We are not renewing programs that have proven not to be cost effective or that have reached a plateau. We require all participants to submit comprehensive strategic marketing plans and to evaluate the effectiveness of every promotional activity. All participants are subject to full, top-to-bottom audits. Finally, we have published detailed regulations to which all participants must adhere and made other substantial changes to tighten management controls.

MPP participants also have a stake in efficient program management since they are required to invest their own money in MPP projects. In the case of branded promotions, participants are required to put up at least half of the cost of the MPP activity.

I appreciate this opportunity to set the record straight on what the MPP really means to U.S. agriculture and U.S. business. Once again, I urge that Congress maintain its commitment to expanding U.S. agricultural exports by supporting the currently authorized \$200 million program level for MPP.

Sincerely,

EDWARD MADIGAN,  
Secretary.

Mr. COCHRAN. I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BRYAN. Mr. President, can I inquire how much time remains on this side?

The PRESIDING OFFICER. The Senator from Nevada has 31 minutes. The managers have 6 minutes.

Who yields time?

Mr. BRYAN. Mr. President, I suggest the absence of a quorum, charged equally.

The PRESIDING OFFICER. Is there objection? If not, the clerk will call the roll.

Mr. COCHRAN. I was not listening to the request. What is the request?

The PRESIDING OFFICER. Is there objection to the request?

Mr. COCHRAN. I object to it being charged to this side of the aisle. The Senator has asked our time be used before he uses any of his. Now he is putting in a quorum call and asks that it be equally charged to the managers as well as himself. I object to that.

The PRESIDING OFFICER. Objection is heard. Who yields time?

The PRESIDING OFFICER. If no Senator yields time, then time will run against both sides.

Mr. BRYAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. BRYAN. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. BRYAN. Mr. President, I thought it would be the amendment of my colleague from Colorado that I understand we may debate next, the Honey Program, that might stir up the hornet's

nest. I think we might have already done so with this amendment I have proposed. I know my colleagues who oppose this amendment feel very strongly about this program and I think that our debate this evening is instructive of how difficult it is going to be to address the budget deficit.

When I look at the programs that are affected by this \$200 million program, we have beef, cotton, forest products, peanuts, poultry, soybeans, wheat, avocados, cherries, citrus fruits, cotton, dried beans, feedgrains, kiwi fruit, peaches, honey, pears, pistachios, plums, prunes, poultry, raisins, rice, strawberries, table grapes, walnuts, wine, and the list goes on and on.

I recognize that this cuts across a broad spectrum of the interest groups in America. But, Mr. President, may I simply indicate that I find an irony in the response of some of my colleagues. I have heard them with great eloquence on the floor of this Chamber to decry the role of Government, Government ought to get off our backs, I have heard them say. Government is too big, it is too intrusive, it is too expensive. Mr. President, this amendment provides an opportunity for our colleagues to provide for less Government, for less intrusive Government and Government that is less expensive.

I renew the position which I outlined during the course of my opening argument and that is, I do not oppose in principle a public-private partnership to assist in promoting the export of American agricultural products. What I do object to, Mr. President, is a program that is as unfocused and that is as poorly directed as this program is. It says to the American taxpayers, at a time in which all of us are going to be asked to make sacrifices, this has to come out of your pocket, you are going to pay for this program, and then we take a look at how some of these dollars are expended.

I joined with my able colleague and the distinguished senior Senator from Arkansas on a number of causes. He and I together have shared common cause in opposing the superconducting super collider, and I hope will be again this year on the floor of this body doing so. We opposed the expenditures for the Space Station Program, and I hope we will be there again this year. We have supported him on previous occasions when he has sought to reduce America's military commitment abroad in terms of the manpower and personnel that we have committed in Europe and the Far East.

So I respect him and admire the positions which he has taken, and I find myself pained to be in disagreement with him on this.

But I must say that of all of the arguments that have been advanced and in support of this program are distilled into two sentences. They are essentially that this program is necessary if

we are to compete and, finally, this program has been efficacious in expanding American exports. I want to take just a minute or two to examine these two premises.

Is this program necessary to compete? Let me just suggest that the way some of this money is expended, it is not directed, as my friends have argued, at some of the unfair competition we face in Europe. I am not unmindful of that. I am very much aware, as everyone in this Chamber, of the impediment to the Uruguay round of the GATT discussions which have primarily failed because of the insistence of European farmers that the high level of subsidies which have been talked about during the course of this debate continue, and I am supportive of efforts to reduce those subsidies so that American farmers can compete on more equal grounds.

But this program, Mr. President, is not confined to Europe. It has global implications. So I think the response to the argument that they must have this to compete is essentially flawed because the scope and reach of this program goes far beyond our competitive situation in Europe.

Second, it is argued that this is a program that has been helpful, it is efficacious to expand exports. Let me suggest that I think there is very little verifiable information to substantiate and authenticate that point. The General Accounting Office in their analysis provides some examples which reach a contrary conclusion, and I hate to pick on the California raisin program, but let me just cite for the benefit of my colleagues the California Raisin Advisory Board had targeted a goal to increase their exports by 2,000 short tons during the first year of the program. During that first year of the program, notwithstanding the allocation of money that they received, about \$3 million, that exports dropped by 2,078 tons. So, clearly, here is an example in which money was spent on a program to expand exports in the Japanese market and it did not occur. In fact, just the opposite occurs.

May I suggest that the argument could be advanced that indeed this program was so countereffective that the expenditure of this additional money caused the exports to drop. That would be akin to the reasoning which they have advanced that all of those expenditures that are outlined, some \$200 million annually, is the basis upon which exports have expanded. It seems to me that one of the fatal flaws of this program is that we really do not have a hard-headed analysis in terms of what programs work, how effective they are and what programs we ought to support, if any.

Mr. President, this comes down to an issue of priorities. How do we spend our money? What do we ask the American taxpayer to pay for, to come out of his

and her hard-earned check and to turn over to the Federal Government which, in turn, is turned over to a series of programs that are operated at the Federal level.

I think my colleagues would be very hard pressed that with all of the needs in this country, and they are legion, and they are the subject of extensive floor debate during the course of our sessions, that in terms of prioritizing those expenditures, I ask my colleagues to think and reflect, is providing an additional \$1 million for McDonald's a priority? Can we go back home and defend to our constituents that kind of transfer of money? Or the \$9.96 million to Tyson's Foods, or \$344,000 to Borden, \$560,000 to ConAgra, or to Brown-Forman \$1.26 million?

This program each year provides about 40 percent—that is nearly \$80 million—for specific companies to advertise and promote their branded product. This is not just to a Buy American Program. This is, in the context of this chart to which I invite my colleagues' attention, to buy more McDonald's hamburgers. Is that how we want to spend our money? I must say this Senator cannot support that kind of allocation and resists those kinds of expenditures.

Finally, I would ask my colleagues, with scarce dollars, everybody competing, less money, more demands, should we not prioritize? If we support this program at all, and if you can justify it, should we not be supporting American companies, not foreign companies?

This list that I have on this chart would indicate a number of foreign companies which directly benefit and receive money from the American taxpayer. I suggest to my colleagues who remain in doubt as to how they are going to vote on this program, take that one home to your constituents and say, yes, I supported the equivalent of \$80 million a year to support these companies, some of which have names that are almost unpronounceable, to assist foreign companies. I have used your hard earned dollars to do so.

Since 1989, we have spent about \$43 million to directly go to foreign brands, foreign ownership.

Mr. President, I respectfully submit that in the full sweep of all of the issues we debate on this floor, how we spend money, this is a program at this time in our history which in my view ought to be zeroed out. Recognizing that that is not attainable in this kind of climate, I believe that the responsible course of action is let us reduce it by approximately \$100 million and support the actions previously taken by our colleagues in the other body in reducing this level of appropriations to approximately \$75 million.

I yield the floor and reserve the remainder of my time.

Mr. BUMPERS addressed the Chair. The PRESIDING OFFICER (Mr. WIRTH). The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I am going to make a suggestion and propound a unanimous-consent request. Momentarily, I will offer a motion to table the amendment of the Senator from Nevada. But before I do that, I would like to propound this request: that Senator BROWN be recognized next to offer an amendment, which is agreeable to us, dealing with OMB and CBO, and that he then be recognized to offer an amendment dealing with the honey program. Let me just suggest a 30-minute time agreement to be equally divided on that—after which the Senator from Iowa be recognized to offer his amendment dealing with travel expenses at the Department of Agriculture for 20 minutes, and that mine and Senator COCHRAN's motion to table this amendment and such votes as may be required from any of the other two amendments and final passage be stacked to commence immediately after the disposition of the Harkin amendment.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. BRYAN. Mr. President, reserving my right to object, would there be objection, because of the colloquy that we previously had, that the Senator from Nevada be permitted to offer the amendment which was previously objected to, namely, the amendment that would restrict money from this program to go to foreign companies? I believe that would be within the parameter of the unanimous-consent request originally that my friend and colleague, the distinguished senior Senator from Mississippi, raised initially and was objected to.

Mr. BUMPERS. I know the Senator knows I would love to accommodate the Senator. I can tell the Senator that is not going to be possible, as much as I would like to do it. I would like to be able to put it in this unanimous-consent request, but it torpedoes the request. I appreciate the efforts of the Senator and I appreciate the Senator's tenacity and perseverance. Certainly something will be coming in here that will allow the Senator to offer his amendment, and I will do everything I can to help the Senator.

Mr. BRYAN. Will the Senator permit me to enter a quorum call so that we might discuss this for a moment. Because my option is to object to the unanimous-consent request, and I do not want to be difficult; the hour is late.

Mr. BUMPERS. We have a little momentum. I think we can pass this bill tonight. I wish the Senator would accept my assurance that I want to do everything I can to accommodate him. He is my friend. I regret very much that his amendment was not included

in the unanimous-consent request earlier. But I promise the Senator he will have an opportunity to offer that amendment. There will be other things coming through here.

Mr. BRYAN. I accept the representation of my friend, and based on this I withdraw any objection.

Mr. BUMPERS. I thank the Senator. The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

The Chair hears none, and it is so ordered.

The PRESIDING OFFICER. Who yields time on the Bryan amendment?

Mr. BOND. Mr. President, the Market Promotion Program [MPP] has been authorized at \$200 million annually to help U.S. producers and other organizations finance promotional activities for U.S. agricultural products.

The MPP is intended to encourage the development, maintenance, and expansion of commercial export markets for agricultural commodities. MPP helps develop new markets and increase U.S. agricultural exports.

For every \$1 spent under the MPP, we get an average return of \$2 to \$7, and in some case like forestry products the return is much higher. Thus, the \$200 million spent annually under the MPP generates \$400 million to \$1.4 billion in additional agricultural exports.

Exports not only provide income for U.S. farmers and their suppliers, but also generate income and employment throughout the U.S. economy. USDA estimates that U.S. agricultural exports, in total, provided more than 1 million jobs for U.S. workers in 1990—jobs in processing, packaging, transportation, and other services.

High-value products constitute the fastest growing component of the world's agricultural trade—and by 1998 are expected to represent 75 percent of world trade. The high-value market is the future for U.S. agricultural exporters, and more than 80 percent of the MPP funding is targeted at building exports for high-value products.

Thanks to the MPP, we have been able to keep the European Community, our main competitor in the high-value market, from running away with all the growth in global trade.

Without MPP funding, 38,000 jobs that depend on the exports generated from the funding would be lost. Businesses would lose \$2.23 billion in economic activity generated by the exports resulting from MPP. And finally, America would lose \$1.4 billion in exports if funding was discontinued.

The MPP, with its focus on promoting high-value agricultural products, is one of the most forward-looking of all USDA's export assistance programs. If we back away from the MPP now, we will be giving our competitors the world's high-value product market on a silver platter.

Mr. WOFFORD. Mr. President, back in May I introduced a bill to reform the

Market Promotion Program. At that time, I said I support the program in spite of the public criticism because I believe it's a good program that has been mismanaged. It has had notable and laudable successes helping many companies gain a foothold in foreign markets. I still believe this. The way to address the problems of the Market Promotion Program is not with the budget ax but through action to bring about the necessary reform.

We have heard a lot about the importance of the Market Promotion Program and the impact on jobs and competitiveness. I believe it is critical that we provide Government assistance to improve competitiveness in the segment of our economy which is most needy and also represents the best opportunity for growth—small- to medium-sized enterprises. That is where reform should be focused.

I encourage my colleagues, both those who have spoken in favor of the Market Promotion Program and those who have spoken against it, to join in reforming it in a way that restores public confidence and at the same time assists our farmers and agribusinesses to develop and strengthen market share in foreign markets.

Mr. KASTEN. Mr. President, I rise in strong support of the Market Promotion Program and oppose any amendments that would slash this valuable program.

The MPP expands exports and create jobs. Some 38,000 new jobs are dependent on the exports generated as a result of the MPP. Eighty-four percent of MPP participants are small businesses. Some of the small businesses in Wisconsin participating in the program include: First, American Ag-Tec International, Delavan; second, Beatreme, Beloit; third, Froedtert Malt, Milwaukee; fourth, Hsu's Ginseng Enterprises, Wausau; fifth, Jones Dairy Farm, Fort Atkinson; sixth, Pan-A Live Pizza, Rosholt; seventh, Chief Industries, Hayward; eighth, Cumberland Packing, Ravine and ninth, Huber Brewing, Monroe.

These small businesses along with the many other small businesses across this country deserve creative market expansion through the MPP. The program is targeted to expand exports of U.S. agricultural products and educate companies in export marketing.

The MPP has further benefited American farmers, ranchers, and food processors by supporting the exports of wheat, feed grains, livestock, meats, fruits, vegetables, and many other farm products.

The Market Promotion Program is a model of Government-industry cooperation to improve competition in world markets. The MPP encourages the development, maintenance, and expansion of commercial export markets for agricultural commodities and is highly deserving of continued funding.

Mr. MCCONNELL. Mr. President, while I will vote for this agriculture appropriations bill, I want to express my extreme disappointment over one provision which was included by the Appropriations Committee. Without the benefit of a hearing in the authorizing committee, the Senate Agriculture Committee, one particular commodity has been singled out to be excluded from funds in the Market Promotion Program.

In 1985, as a member of the Senate Agriculture Committee, I supported programs designed to expand and further develop export markets for agriculture. One of the programs, the Targeted Export Assistance, authorized by the 1985 farm bill was created specifically to promote U.S. agricultural products in overseas markets. The TEA program was viewed as a success and met with such acclaim that it was reauthorized and renamed in the 1990 farm bill as the Market Promotion Program. Some small changes were made, but the basic program remained intact.

During all of the discussion of the Targeted Export Assistance from 1985 through 1990 and the Market Promotion Program in the 1990 farm bill, I don't remember anyone trying pick and choose which commodities would be eligible and which would not.

While I want to commend my colleagues on the Appropriations Committee for the excellent job they have done putting together the annual agriculture appropriations bill, I must point out and express my deep concerns with the qualifications enumerated under the Market Promotion Program. The committee singled out one commodity, tobacco, and declared it ineligible for MPP funds. This action troubles me for two reasons. First, this is a classic example of how to get around the barrier of not being able to legislate on an appropriations bill. The regular process of holding hearings and discussions by the authorizing committee was bypassed, and the appropriations committee decided to exclude one commodity from receipt of MPP funds. My second main concern with this provision arises because of the significant and consequential impact that tobacco has on the lives not only of Kentuckians, but of all Americans.

No one can doubt that tobacco is the most deeply rooted commodity in our history. Its role in America's settlement, early development and eventual independence is incalculable. Tobacco soon became the economic foundation of the colonies. It was the only commodity that the settlers could produce to exchange for essential manufactured goods. Tobacco was the salvation of the struggling Jamestown colony. In 1730, the leaf itself became currency. Its uses ranged from buying rum to paying the salaries of the clergy.

Today, tobacco ranks sixth among field crops produced in the United

States. Nationally, the tobacco industry creates 2.3 million jobs and consumers spend \$40 billion on tobacco products. Almost one-half of that spending goes directly to Federal, State, and local governments in the form of tax revenues. Exporting tobacco products helps our national trade balance. During the decade of the 1980's tobacco products added \$30 billion to the positive side of the trade ledger.

Tobacco farms in Kentucky are not typical of most farming operations. The average Kentucky tobacco farm is less than three acres, not a big money maker, but heavily depended upon. Raising 1 acre of tobacco requires 280-320 man hours a year.

Over 60,000 Kentucky farm families actively participate in growing tobacco. Nearly 160,000 families derive income from tobacco production, and tens of thousands more people earn their living from an area in the marketing and manufacturing process. Tobacco has been an integral part of Kentucky's history and economy for over 200 years.

The \$800 million which Kentucky's farmers earn annually from the sale of tobacco is multiplied into over \$5 billion in economic benefits from labor hired plus goods and services bought. The tobacco industry directly accounts for an additional 60,000 jobs through core and supplier businesses. And, State and local governments collect over \$50 million in tobacco excise taxes. Leading tobacco States like North Carolina, Kentucky, and Virginia are not the only States whose economies benefit from tobacco.

We achieve all of this economic activity with a program which is not subsidized by government dollars. Here you have an industry which provides jobs to 2.5 million American workers, generates nearly \$20 billion in tax revenue, contributes over \$40 billion to the gross national product, and provides a trade surplus of about \$6 billion. If this were any other product than tobacco it would be the success story of the century.

Cigarettes are, indeed, a controversial product, but they are legal in the United States and in every other country in the world. Too often, under the veil of protecting public health, antitobacco activists push their own personal views. Tobacco smoke has an odd way of obscuring the issues.

The antismoking forces portray smoking as a threat to everyone. They feel an obligation to protect smokers from themselves and make sure the smoker bears all of the cost of their behavior, actual and perceived. Such reasoning, as if you smoke you will die and if you are in a room with a person who smokes you too will die, is a disservice to the public. People have rights, smokers and nonsmokers alike, but using the government to control your neighbor's habits is a risky business.

Now these self-righteous, activists want to impose their standards of good health on the rest of the world. For all of the gains we have made in tobacco exports, these people are working hard to pull the rug out from under us. They are working with foreign governments in an effort to reestablish trade barriers which we fought so hard to break down over the past decade.

While tobacco helped the Nation pass through its early growing pains, it has remained a vital element to our country. It has maintained its place as a dynamic force in our national economy. It has touched in one way or another for over 400 years on almost every aspect of human life—religion, education, agricultural advancement, politics, and the arts. It is my sincere hope that it will continue to do so for another 400 years.

Kentucky's largest cash crop, tobacco, has been eligible for MPP funds in the past and the money was used with clear success. The use of MPP funds to date has directly generated an additional \$250 million in unmanufactured tobacco exports. This represents more than a 50-to-1 return on tax dollars invested.

I have seen the stories and heard the criticism of taxpayer dollars being used to export death, but remember tobacco remains a legal crop meeting all of the criteria for allocation of CCC resources in the Market Promotion Program.

The United States grows less than 10 percent of the world's tobacco and reducing U.S. tobacco exports will not end tobacco sales in any foreign country. In fact all it will achieve is stealing hundreds of millions of dollars out of U.S. farmer's pockets and put it in the pockets of foreign governments who in most cases control the growing, processing, and marketing of tobacco and its products.

U.S. tobacco farmers made an annual cash contribution of 40 percent of the amount of the old Targeted Export Assistance Program funds and are now contributing 33 percent of the level of MPP funds provided each year. Tobacco easily meets and exceeds all of the criteria of the rules and regulations of the Market Promotion Program. I would also note that none of these dollars used on tobacco were spent for advertising or any kind of consumer demand stimulation programs.

The fact is the commodity we are talking about is tobacco and because supporting this commodity is not politically correct it becomes an easy and popular target for attack.

If you forget everything else said about tobacco, remember these facts: the United States grows less than 10 percent of the world's tobacco; reducing tobacco exports will not end tobacco sales in any foreign country; in most foreign countries, government

monopolies control the growing, processing, and marketing of tobacco and its products; and, reducing tobacco exports will take hundreds of million of dollars out of U.S. farmer's pockets and put it in the pockets of foreign governments, not necessarily foreign farmers.

I am disappointed that the Appropriations Committee singled out tobacco as the only commodity prohibited by law from participating in the Market Promotion Program. Further I am disappointed the authorizing committee did not hold hearings specifically on which commodities will and will not be eligible for MPP funds, before this provision is passed by the Senate. I remain a supporter of the Market Promotion Program because of the success of promoting other products grown or processed in Kentucky, but I am disturbed that thousands of tobacco farmers will be adversely impacted by the action taken by the Senate.

Mr. BUMPERS. I move on behalf of Senator COCHRAN and myself to table the Bryan amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is all the time yielded back?

Mr. BUMPERS. I yield back all time remaining.

Does the Senator from Nevada yield back his time?

Mr. BRYAN. The Senator from Nevada is prepared to yield back all remaining time.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BUMPERS. Has the Chair asked for a second?

The PRESIDING OFFICER. The yeas and nays are ordered.

Under the previous order, the Chair recognizes the Senator from Colorado.

#### AMENDMENT NO. 2779

(Purpose: To provide a mechanism for the Congressional Budget Office and the Office of Management and Budget to determine the expenditure of appropriated funds for different income categories)

Mr. BROWN. I rise to offer an amendment and ask that it receive immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 2779.

Mr. BROWN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 93, after line 24, insert the following new section:

SEC. . (a) In the case of any applicant for assistance provided with funds appropriated under this Act, the applicant shall include the information described in section 6109 of the Internal Revenue Code of 1986.

(b) Any agency processing any application described in subsection (a) shall submit the information provided by the applicant (including the dollar value of the United States Government assistance to the applicant) to the Internal Revenue Service.

(c) On a written request for the Director of the Office of Management and Budget or the Director of the Congressional Budget Office, the Secretary of the Treasury shall furnish each such Office, with—

(1) the dollar value of the United States Government assistance to the applicant; and

(2) any return or return information specified in the request, except any return or return information that can be associated with, or otherwise identify, directly or indirectly, a particular taxpayer.

Mr. BROWN. Mr. President, this is the amendment that we have chatted with the majority and minority about. The amendment is simply a followup on the sense-of-Congress study that was included in the budget resolution which was passed earlier this year. All the amendment simply does is help develop the identification of people who receive Federal funds for completion of the study that was included in the budget resolution.

The PRESIDING OFFICER. Is there further discussion of the amendment?

Mr. BUMBERS. Mr. President, that amendment has been cleared on this side of the aisle.

Mr. COCHRAN. Mr. President, the amendment has been cleared on our side. We urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2779) was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Colorado is recognized.

AMENDMENT NO. 2780

(Purpose: To prohibit the use of funds made available by this Act to support the price of honey)

Mr. BROWN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN] proposes an amendment numbered 2780.

Mr. BROWN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following new section:

SEC. . None of the funds made available by this Act may be used to support the price of honey through loans, purchases, payments, or other operations under section 207 of the Agricultural Act of 1949 (7 U.S.C. 1446b) or any other provision of law.

The PRESIDING OFFICER. Under the previous order, there is 30 minutes equally divided on the Brown amendment.

The Senator from Colorado is recognized.

Mr. BROWN. Mr. President, this Nation finds itself in a crisis with regard to the budget deficit of which every Member of this Chamber is well familiar. It is one with which we have been unable, as a body, to deal, not only unable to find the cuts in spending but unable to come to any agreement involving either revenue or spending to narrow this enormous deficit.

This deficit, at least in this Member's opinion, is not going to be cured easily. It is not going to be cured with good wishes. It is going to be cured by cutting wasteful programs. I wish there were an easy way to do it. I wish we did not have to eliminate waste. I wish we did not have to move to eliminate programs.

This particular one, the honey program, which I feel is wasteful, is considered by some to be a good program. There is no doubt in my mind that people who receive money think it has real value. But the simple fact is this nation of ours is not going to cure its deficit problems unless we are willing to eliminate some programs. It comes down to being willing to vote to end wasteful programs. That is what this amendment is all about.

Some will say it is a small program. Indeed, the honey program is a small program. This particular amendment will save \$23 million this year and, hopefully, lead to the end of a program that has stung the American taxpayers.

This program is a small step, but it is a step toward eliminating the scandalous deficit that threatens the very future of our country, the livelihood of our children and our grandchildren, and our ability as a nation to compete.

Mr. President, if we cannot eliminate this program, we cannot eliminate anything. We are talking about \$23 million that goes to 5,000 honey producers. That is only one-eighth of all the honey producers in the country. You are talking about an elite few that get the subsidy. If we cannot eliminate a program that wastes taxpayers' money that only goes to 5,000 people, what can we eliminate?

The simple fact is that the wastefulness of this program has long been recognized. Governor Clinton has specifically outlined this program as one that he would eliminate as President, and so I find myself in the strange position of offering a portion of Governor Clinton's program before this Senate.

But, Mr. President, I think he deserves praise. I think he has been willing to step forward and identify a program that is wasteful and go on line in proposing its elimination. As a Republican, I have to say I praise him for that. I think it is a fine move. His campaign staff is quoted as saying this: "We wanted to show we were serious about going after spending." That is

why Governor Clinton wants to do away with the program.

Let me suggest it is why this body ought to go after this program and eliminate it. If we want the American people to believe that we are serious at all about eliminating the deficit or even stopping it from increasing, we ought to eliminate this silly program. It is a savings of \$23 million this year.

Some will say it is a sweet deal. It is a sweet deal for 5,000 honey producers. Depending on how you figure it, the number of honeybee keepers in this country runs from 40,000 to 140,000. That means that only one-eighth to as low as 4 percent of honey producers receive the subsidy. It is a subsidy for the elite in the honey category. But it is symbolic of the sickness that pervades this budget, of the irresponsibility and the waste that this Congress has to face up to.

Let us take a look at what the advocates of this program claim.

One, they claim that if we keep this program, we will reduce imports and somehow improve our balance of payments.

Let us take a look at the facts because the facts do not bear out that claim.

In 1988, we imported 55.9 million pounds of honey. Within 3 or 4 years of the program, imports have gone up, not down. We have gone up to 92.3 million in 1991. The program that would reduce imports has turned out to be a program that increased imports.

Some say that if we eliminate this subsidy program the bees will simply lose interest in flowers. But somehow nature's most wonderful bees, that transfer and pollinate our flowers and our fields, will somehow cease to operate. It is hard to imagine that this country got by without the program for centuries. It is hard to imagine that most countries in the world get by without programs of this subsidy. But the truth is they do, the truth is they can, and the truth is that bees will thankfully not lose interest in flowers or crops if we do not have a subsidy program.

Some have said that this is essential, essential if we are going to have beekeepers in this country. What they do not tell you is that from 87 percent to 96 percent of the beekeepers in this country do not get any benefits anyway. The truth is many Members are afraid the lobbyists are going to swarm on this Chamber and advocate one more special interest program. But I believe this country, I believe this Nation, is more important than simply one more special interest group. I believe it is more important for our children to have a future.

If we can set an example on beginning to eliminate wasteful programs, it will spread. That, Mr. President, is why I believe many people are concerned about this, not because of the honey.

They know that bees are going to be interested in flowers whether we eliminate the program or not. What they are afraid of is that this body will set an example of facing up to special interests. What they are afraid of is, if we examine this program and eliminate waste, that we are liable to do it in other areas.

Indeed, that is probably the significance of this amendment. It tests our resolution.

So, Mr. President, I offer to this Chamber a portion of Governor Clinton's campaign platform, a commitment to begin to end waste in this country, a commitment to end the honey program, and I urge its adoption and reserve the remainder of my time.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. I yield 5 minutes to the distinguished Senator from South Dakota and, following his 5 minutes, I yield 5 minutes to the distinguished Senator from North Dakota, Senator CONRAD.

Mr. DASCHLE. Mr. President, it seems that virtually every year Congress returns to the issue of whether or not to continue the honey program.

Each year we hear the same arguments against the program. We hear that honey producers form a powerful special interest group that has Government in its back pocket. We are told that funds spent on the honey program are wasted money. And there is my particular favorite, that bees will continue to make honey without the encouragement of a Government program.

These arguments may have an appealing ring to them. However, under objective examination, they simply do not hold water. Rather, they reflect a lack of understanding of why the honey program is needed and what it contributes to the American economy.

#### VALUE OF THE PROGRAM

The beekeeping industry's significance to the rest of agriculture is often overlooked or even maligned. But the fact of the matter is that beekeeping is vital to American agriculture.

The U.S. Government has supported the price of honey since 1950 by providing market price stability to honey producers to encourage them to maintain sufficient honeybee populations to pollinate important agricultural crops.

I mentioned again and again, as I have in the past. This is a loan program, a loan program that is paid back to the Federal Government each and every year.

More than 140 cultivated crops either require or benefit from bee pollination, including millions of acres of fruits, vegetables, oilseeds, and legume seed crops. Pollination provided by honeybees has increased in importance to farmers in recent years as urbanization and other pressures on the envi-

ronment have reduced the availability of other natural pollinators.

It is often pointed out that the United States is a net importer of honey. Yet, while we can import honey, we cannot import pollination. A vast majority of pollination is provided free to the public through the random movement of bees.

A study several years ago by Cornell University placed the value added to pollinated crops by the U.S. honeybee at \$9.7 billion. This should be compared to the cost of the program that CBO estimates to be \$11 million in fiscal year 1992, and is projected at \$6 million in fiscal year 1993, not \$23 million as was indicated earlier, but \$6 million in the next fiscal year.

That is \$9.7 billion for a \$6 million investment by taxpayers, an investment paid in the form of loans, paid back by pollinators and by beekeepers alike. Let me repeat that figure—\$9.7 billion.

The ratio of value added to Government cost is \$9.7 billion to \$10 million, roughly 1,000 to 1. The tax revenues generated by nearly \$10 billion in value-added benefits would total roughly \$2.5 billion alone. That is a benefit ratio of 250 to 1 for the Federal Treasury.

The value of the honeybees as pollinators far exceeds the value of the honey and beeswax they produce. However, for most beekeepers, the receipts from honey and beeswax sales far exceed the fees received for pollination services.

No one should be misled. If the loan program for honey is withdrawn or reduced, the supply of honeybee colonies will be jeopardized, and much of U.S. agriculture that depends on pollination will be hurt. Any decline in the number of honeybee colonies that may result from changes in the honey program will directly affect the number of honeybees available for pollination.

Of most concern will be pollination of those agricultural crops that require large concentrations of bees for a commercial crop. It is unlikely that the areas where these crops are grown contain a sufficient number of wild bees, other pollinating insects, or honeybees managed by local beekeepers to provide adequate pollination without the assistance of commercial beekeepers.

Some critics of the program rely on a General Accounting Office report which concluded that the program is not needed to ensure crop pollination. However, there were serious flaws in the rationale for discontinuing the loan program. For example, GAO looked only at the benefits of honeybees from pollinating crops for producers that provide cash rent and overlooked entirely indirect benefits to wildlife, home gardeners, environment, and other agricultural producers who do not pay rent for pollination.

The critics of the honey program conveniently ignore the fact that the

program has undergone extensive revisions in the last two farm bills. In the 1985 farm bill, the loan rate for honey reduced at a rate of 5 percent a year. The 1990 farm bill froze the loan rate at 53.8 cents per pound, but lessened the benefits producers received by increasing the price at which they are able to redeem honey that is under the loan.

The result is that the cost of the program has dropped from \$100 million in 1988 to a projected cost of \$6 million in fiscal year 1993. That is a decline of 94 percent over the space of 5 years. Since 1985 the volume of stocks being held by the Commodity Credit Corporation has dropped from 103 million pounds to virtually zero at the present time.

#### DECLINE OF THE INDUSTRY

What we have left is a honey program that has been pared to its bare bones. The effect can be seen in the honey industry today. Despite the importance of bee colonies, the number has been declining. Since the peak in 1947 of 5.9 million, the number has dropped to a recent estimate of 3.2 million colonies, based on beekeepers with five or more colonies.

The decline in colonies is connected to the decline in the price of honey. Since 1981, the average price of honey has declined from a record 63.2 cents per pound to less than 50 cents per pound, largely due to the declining support price.

Meanwhile, the costs of honey production have been rising. Honey producers also are facing increasing competition from imports of honey from countries such as China. Even though the program has been cut to very low levels, it is still necessary to help cope with these and other threats.

In addition to dealing with massive cuts in the support program, honey producers are struggling with two mites that are devastating the industry, and no viable control measures are available at this time. To add to these problems, the Africanized, or so-called killer bees have arrived in southern Texas. As the industry deals with the economic impact of these threats, now is a poor time to make other changes that will threaten the industry's survival.

No one should underestimate the danger posed by the Africanized bee. The Africanized bee is generally not aggressive when foraging, but is extremely aggressive and unpredictable in the defense of the hive. Studies show that the Africanized bee reacts 10 times more severely than the European bee when its hive is threatened.

The costs to beekeepers to maintain nonaggressive colonies through breeding programs will be substantial. If there is not a viable honey industry, there will not be enough beekeepers available to provide a first line of defense to control the invasion of Africanized bees. As a result, the costs of managing the invasion by Federal,

State, and local authorities without beekeepers will far exceed the cost of the loan program.

COUNTERARGUMENTS TO LIKELY CRITICISMS

Mr. President, it is claimed that the honey program benefits only a few beekeepers. That is probably true simply because of the fact that there are very few beekeepers left in the country. Everyone with an apple tree in their backyard is not operating a fruit orchard. Likewise, everyone with a bee colony is not a commercial beekeeper. The roughly 5,300 commercial beekeepers who participate in the honey board programs account for 99 percent of the honey produced in the United States.

It is also claimed that honey producers are receiving large payments. In fact, however, over half of the producers who participate in the program receive loans of less than \$5,000.

It is also worth bearing in mind that the 1990 farm bill will reduce the maximum contract a producer can receive to \$100,000 by 1995. Thus, the handful of larger producers in the country will realize limited loan availability from the program.

The bottom line is that the honey program will only cost the Federal Government \$11 million in fiscal year 1992. In fiscal year 1993, the Congressional Budget Office estimates it will cost only \$6 million. We are spending about \$10 million on 5,000 honey producers that contribute over \$9 billion in pollination benefits to the country.

Mr. President, the honey industry is not a special interest; it is simply an easy target. If my colleagues are serious about deficit reduction, they should find a program that wastes money rather than one that costs \$6 million and generates \$9 billion for the Nation's economy.

Mr. President, I know our time is limited. Let me just summarize by saying that this program is now down to \$6 million. We generate a substantial benefit across the country in areas that go beyond agriculture with this meager investment. The ratio is 1,000 to 1, and people ought to recognize that prior to the time they vote against this very valuable program.

I yield the floor.

Mr. CONRAD. Mr. President, sometimes when we review actions, we say that it is all style and no substance. Mr. President, that is this amendment. It is all style and no substance.

We hear that this amendment to completely eliminate the honey program in this country is designed to do something about the Federal budget deficit. Let us get serious. Who is kidding who? I mean, this may be a good headline back home, but it in no way is serious at all about doing anything about the budget deficit.

Mr. President, we are talking about a program which, in total, is going to cost \$6 million next year, and we have

a \$400 billion deficit. We have a \$400 billion deficit, and we are talking about doing something serious about the Federal budget deficit by eliminating a program that, next year, is going to cost \$6 million; a program, by the way, that as recently as 1986 cost \$79 million?

Mr. President, show me any other Federal program that has been reduced by 90 percent in the last 6 years. Show me any other program that has made that contribution to deficit reduction. Show me one. This program has gone from \$79 million to \$6 million. And do you know where it is going to be in 2 years, according to the Congressional Budget Office? \$2 million.

This is a brave assault on the Federal budget deficit here tonight. This is a courageous assault on adding \$1.8 trillion to the national debt in the next 5 years. Let us get serious. This is not even worth talking about.

Mr. President, if we were serious, we would do something like the plan I offered the Budget Committee, which the occupant of the chair voted for, to reduce the deficit \$500 billion over the next 5 years. Then we would be talking. There was the opportunity for the Senator from Colorado to do something serious about the Federal budget deficit. But when that tough vote was offered, the Senator ducked, as did most of the other members of the Budget Committee.

Instead, what we see offered is a program to reduce and eliminate a program of \$6 million, that has come down from \$79 million 6 years ago, and is going to \$2 million 3 years from now. What is the cost?

Mr. President, the problem with this proposal is that it will cost more than it will save. The reason for that is very simple.

Mr. President, according to the studies that have been done, \$10 billion in crops are benefited by the honey program. Some crops require honey bees for pollination. GAO says a conservative estimate is that 10 percent of the value of these crops, \$1 billion, is due to honey bee pollination.

Mr. President, if ever there was a program with a payoff, this is it. To suggest this is doing something about the Federal budget deficit, frankly, is a mighty big stretch.

I yield the floor.

Mr. BROWN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 7 minutes 56 seconds remaining.

Mr. BROWN. I yield 5 minutes to the distinguished Senator from Rhode Island.

Mr. CHAFEE. First, Mr. President, I am going to miss the Senator from North Dakota. I had an opportunity to watch him in action last week. I must say, sometimes the Senator from North Dakota equates volume with effective-

ness. I am not sure that is always true. Certainly, I had a little trouble with his figures today.

Let us go back and review the bidding, if we might, on this program. This program, over the last 5 years, has averaged \$56 million a year of the Federal budget. That is what it has cost.

You might say—as the Senator from North Dakota said—that is peanuts. But it was not peanuts to the Democratic Presidential candidate. He thought it was worthwhile. As a matter of fact, he listed it on his breakdown of savings: Defense cuts, intelligence cuts, line-item veto, power projects, streamline USDA subsidies for honey producers. It was not peanuts for the Presidential candidate, and I agree that it is not peanuts.

Indeed, Mr. President, the only way we are going to solve this budget deficit is that each step counts. There is no silver bullet. There is no way we are going to—bing—eliminate the deficit. We all know that. It is through a series of measures that we have to take.

Let us again look at what GAO says. I think we can rely on them as much as anybody. There are about, in the United States, 212,000 beekeepers. Do you know how many are in this honey program? Not 212,000, or 210,000, but 2,100—1 percent of all of the beekeepers.

I can understand the position of the Senators from South Dakota and North Dakota. Indeed, the American Honey Producers, and its president, Mr. Matt McVie, are located in Bruce, SD. I would be up here battling, too, for a hometown boy.

The galleries were full when we debated this in the past years. You are going to hear, Mr. President, all through the argument, that it is necessary to have bees to pollinate crops. That was the original justification for this program. It was to support crop pollination.

But, Mr. President, beekeepers who provide pollination services, moving bees from farm to farm, are not involved in the honey support program.

As I mentioned, there are only 2,100 beekeepers involved in this. I admit, they are a vocal group. I suppose a lot come from South Dakota and North Dakota. They certainly make their views known.

But to suggest that all bees are going to disappear in the United States if we do not have this subsidy program is nonsense. And I am sure the 2 proponents of this legislation must recognize that, with 210,000 beekeepers, and this effects 2,100.

Mr. President, I just want to say that a little step counts. This is not going to solve the budget deficit. If we have something, as the distinguished Senator from North Dakota has, that is going to eliminate \$500 billion, or some mammoth amount—I am not sure what he said; maybe \$500 million—three cheers. Let us take a look at it.

Meanwhile, let us take this little step forward. It is something we can do. It is an unnecessary program. If there was ever a program that was restricted to a tiny group, this is it: 1 percent of all of the beekeepers in the United States of America.

Mr. President, I want to say that the Vice Presidential candidate on the Democratic ticket has supported this. I will say that it is a little bit back and forth. He was against the price supports in 1985. He was for them in 1990; he was against them later on in 1990, 3 days later. And on the last vote we had, he was for it. So it is a little hard to tell exactly where the Vice Presidential candidate stands.

Really, we are doing this, and sort of striking a little blow for Governor Clinton's program.

I hope our colleagues will support this amendment. I commend the distinguished Senator from Colorado for offering it.

The PRESIDING OFFICER. Who yields time?

Mr. COCHRAN. On behalf of the managers of the bill, I yield 5 minutes to the Senator from South Dakota [Mr. PRESSLER].

Mr. PRESSLER. Mr. President, does my good friend from Colorado not know about the birds and the bees? Does he not know the facts of life that we are dealing with about pollination?

The overall value of the domestic honey production exceeds \$9 billion annually as a result of increased yields and higher quality crops achieved through pollination.

Mr. President, I am sure the distinguished Senator from Colorado has a backyard whose flowers prosper and bloom, and those flowers would not be blooming were it not for this program.

I am sure my friend from Colorado will perhaps rise to change his position shortly after my speech. But in any event, there are many other points I would like to make.

Last year an attempt to eliminate the honey price support was made and failed by a 57-38 vote. At that time opponents claimed the costs of the program to be \$49 million. Mr. President, the most recent USDA estimate shows the program costing only \$6 million. It appears there are going to be annual attempts to eliminate the honey price-support program. It also appears those wishing to eliminate the honey program have singled out this Nation's beekeepers to lead the charge in reducing the \$365 billion budget deficit. From a cost-benefit analysis, eliminating the honey support program does not make economic sense.

Honey production is not only important to my State of South Dakota but to the Nation as well. South Dakota is the third largest honey-producing State in the Nation. Honey production is a \$12.3 million industry in South Dakota. Nationwide, honey production is valued \$105 million.

As I said earlier, eliminating the program is bad economic policy, and the entire Nation has an interest because of the pollination effect. More than 140 cultivated crops either require or are benefited by bee pollination, including millions of areas of fruits, vegetables, oil seeds, seed crops, and I am sure the garden of the Senator from Colorado.

Eliminating the honey program would result in a dramatic reduction in the number of U.S. beekeeping operations, and many of the benefits of pollination would be lost. Eliminating the honey price support program also would result in a significant increase in foreign imports.

The honey program is an integral and very inexpensive component of American agriculture. In an effort to save mere millions of dollars, the amendment would cost the economy billions of dollars in lost economic benefits, greatly increased foreign imports and wreak havoc on many rural communities in this country.

In addition, the Congressional Budget Office estimates the honey program will save \$3 million in fiscal year 1996 and \$2 million in fiscal 1997. Eliminating the program will wipe out those savings at a great cost to this Nation's beekeeping taxpayers. The beekeeper is good for America.

The arguments we hear today are the same arguments used in 1985 when needed reforms to the loan price support program were made. In 1985, the costs of the programs were excessive and rose to over \$100 million in 1988. In the early 1980's excessive Government acquisition of honey occurred. In 1983, the Government acquired approximately one-half of the domestic honey produced. These problems have been fixed. We now have loan programs that maintain market stability, encourages the maintenance of bee population so vital for reasons I have already mentioned. The needed reforms in the 1985 farm bill restored order to the honey program, and that is reflected in the diminishing costs of the program.

Mr. President, in conclusion, the honey price support program is sound and is working as it was intended. The program has significantly reduced Government honey stocks, Government costs in storing honey, and maintained the competitiveness of the domestic honey in United States and foreign markets. I urge my colleagues, once again, to defeat the attempt to eliminate a proven cost-effective program.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, my good friend from South Dakota has referenced the birds and bees. His comment stings me to the quick. The last 10 years the figures indicate this program has cost the U.S. taxpayers \$614 million to operate. Some dismiss it as not very significant, but to me \$614

million in the last decade is pretty significant. It may be one of the most expensive sex education programs this Nation ever had.

Colorado is one of the leading States in honey production. It is something with which we are not unfamiliar. But let me assure the Members of this Chamber that no doubt bees will not lose interest in flowers, pollination will not end. This country survived through most of its history without the subsidy program, and it will do just fine in the future.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. COCHRAN. Mr. President, how much time remains on this amendment in the order?

The PRESIDING OFFICER. The Senator from Colorado has 2 minutes remaining and the managers have 1½ minutes remaining.

Who yields time?

Mr. DASCHLE. If the managers will yield, I do not have any more requirement for time on our side.

Mr. COCHRAN. Could we just yield back all time on the amendment and proceed to the Harkin amendment?

The PRESIDING OFFICER. Is all time yielded back?

Mr. CHAFEE. Mr. President, I make one comment.

Mr. BROWN. Mr. President, I yield 1 minute to the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, the point has been made here that the cost of this program has come down. I think that is right. But I will say I can remember debates we had on this in 1985, and indeed the Vice President, the present Vice President, was one that used to present the amendments on this, and the very people who are opposed to our taking this step tonight are the ones who were opposed to our doing it in 1985. In other words, they have never recognized that the program was a wasteful one. So I get little confidence from their thought that what took place in the past was bad but what is going on now is good, because in those days they did not recognize that the program needed vast overhauling and should indeed be eliminated.

Mr. President, I hope that this body will support the amendment by the Senator from Colorado.

Mr. BROWN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. BUMPERS. Mr. President, I yield to the Senator from South Dakota for a motion.

The PRESIDING OFFICER. The Chair will determine if the Senator from Colorado has requested the yeas

and nays. Is there a sufficient second? There is not a sufficient second.

Who yields time?

Mr. BUMPERS. Mr. President, I yield to the Senator from South Dakota.

Mr. DASCHLE. On behalf of the Senator from North Dakota, I make a motion to table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The sponsors still have time remaining on the amendment. The motion to table is premature.

Mr. BUMPERS. Does the Senator from Colorado yield back the time?

Mr. BROWN. I do.

The PRESIDING OFFICER. You have time remaining, 1 minute and 3 seconds.

Mr. BUMPERS. We yield back the remainder of our time.

Mr. CONRAD. Mr. President, I ask, before we go to the vote, to clarify the point last made on that side.

Mr. BUMPERS. Clarify what?

Mr. CONRAD. The point made on that side. Before people vote they ought to be reminded of the cost. They heard these large numbers. I would like just 30 seconds.

Mr. BUMPERS. Mr. President, I ask my time be granted back to me so I can yield 30 seconds to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, we are not talking about \$600 million. That is the past. We are talking about \$6 million in fiscal year 1993, \$67 million in 1994, \$2 million in 1995.

I thank the Chair.

Mr. DASCHLE. Has all time been yielded back?

The PRESIDING OFFICER. All time has been yielded back.

Mr. BROWN addressed the Chair.

Mr. DASCHLE. On behalf of the Senator from North Dakota, I move to table and ask for the yeas and nays.

Mr. BROWN. Mr. President, I ask unanimous consent I may have 30 seconds to respond.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, only on a point of expenditure, the savings by this amendment for this year is \$24 million. It takes out savings in the appropriations bill. The savings stated by Governor Clinton in his proposal is \$20 million. I do believe it is significantly different than has been discussed.

Mr. BUMPERS. Now, Mr. President, all time has been used up, and I yield to my distinguished friend to again renew his motion to table.

Mr. DASCHLE. Mr. President, if that is the case, on behalf of the Senator from North Dakota, I move to table and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the Senator from Iowa is recognized.

Mr. BUMPERS. Mr. President, if the Senator from Iowa will yield, there has been no request on this side for the yeas and nays. I have had none on this side. I hope after we vote on the three amendments, we can voice vote the bill. That is just a wish.

The PRESIDING OFFICER. The Senator from Iowa.

#### AMENDMENT NO. 2781

(Purpose: To provide that no funds may be expended in excess of a certain limit on travel expenses for schedule C employees, noncareer appointees, and Executive Schedule officers, during a 2-month period)

Mr. HARKIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an amendment numbered 2781.

Mr. HARKIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 88, insert between lines 20 and 21, the following new section:

SEC. 731. No funds appropriated or made available under this Act, or any other Act, may be expended (with regard to the travel expenses of any employee in a position of a confidential or policy-determining character under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, a noncareer appointee in the Senior Executive Service, or an officer serving in a position on the Executive Schedule, who receives pay from funds appropriated under this Act) during the period beginning on October 1, 1992 through November 4, 1992 in excess of the higher of—

(1) the amount of travel expenses incurred by the officer or employee serving in such position during the period beginning in October 1, 1991 through November 4, 1991;

(2) 10 percent of the amount of the travel expenses incurred by the officer or employee serving in such position during fiscal year 1992; or

(3) in the case of an officer or employee in a position which was established during fiscal year 1992, the median travel expenses of—

(A) in the case of a schedule C employee, all such schedule C employees in the executive branch of the Government during the period beginning on October 1, 1991 through November 4, 1991;

(B) in the case of a noncareer appointee in the Senior Executive Service (not otherwise covered under subparagraph (C)), all such non-career appointees in the executive branch of the Government during the period beginning on October 1, 1991 through November 4, 1991; and

(C) in the case of an officer in a position on the Executive Schedule, all officers in the same level of the Executive Schedule during the period beginning on October 1, 1991 through November 4, 1991.

Mr. HARKIN. Mr. President, how much time do I have on this amendment?

The PRESIDING OFFICER. Twenty minutes equally divided.

Mr. HARKIN. Mr. President, this is a very simple and very straightforward amendment. Basically, what it attempts to do is to reduce the use of very scarce Federal funds for political purposes.

Every election year, it is just like a swarm of locusts about to land. These political appointees, the executive branch schedule C appointees, executive officers, go around the country, usually in October, the month before the election, having all kinds of 30-second, 2-minute meetings, and then they go to political fundraisers.

I know you cannot stop it all, but what this amendment does is basically tries to limit that. I have no problem with political appointees going out and campaigning as allowed by law. That is fine. That is what they ought to do. There is nothing wrong with that. I just have a problem with them doing it at taxpayers' expense.

What this amendment basically does is two things: It limits for the month of October of this year, from October 1 through November 4—the day after the election—it limits the travel for schedule C and executive schedule political appointees paid under this bill. It limits their travel to what they did last year during that same period of time. No more. They can still travel, but let us look at what they did last year during that same period of time and no more travel than that.

Or, as an alternative, 10 percent of the amount of travel for that position for the last year. In other words, take 10 percent of all the travel they did during fiscal year 1992 and that is what they would be allowed to do during the month of October.

So, again, it is a very modest approach to this. I am not trying to ban all their travel. Not in any way. I am just saying, let us look at what they did last year and let us not have this mushroom effect that we have every October before an election, where, as I said, like a swarm of locusts they go about the land. If they want to swarm about the land, fine, just do not do it at taxpayers' expense.

So I would just say keep the travel at the same amount that they had last year. I think it is a very modest approach to try to nip in the bud future practices and to end some of the more egregious practices we have had in the past.

There was an article recently in the Washington Post about this recently. Again, I do not mean to take on the department and that person. Quite frankly, I happen to have a great deal of respect for Manny Lujan in the Interior Department. He is a long-time friend and former colleague of mine. I do not

think he knew at all what was going on underneath him with regard to that travel. But you read that article, then you will see what I am trying to get at and that abusing taxpayer funds to go to these political events. As I said, we cannot stop it all, but at least we can try to put a lid on it. And that is what we try to do with this amendment. I ask unanimous consent that the article be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

LUJAN AIDES' TRIP SET UP WITH POLITICS IN MIND

(By Dana Priest)

When Idaho Republican Party leaders were planning their spring fund-raisers several months ago, they decided that Interior Secretary Manuel Lujan Jr. would be a great draw in a state where the federal government owns 65 percent of the land.

Lujan agreed to attend events in Coeur D'Alene, but two weeks before the mid-May trip, as his staff was still trying to find some official business for him in the region, pressing matters in Washington forced Lujan to cancel. Two political appointees were told to stand in; they had only a week to line up some official work.

The administration and Cabinet members are fond of saying that government business always is the driving force behind "mixed" trips, not the other way around. "Mixed" trips—part political and part official—allow the Republican Party to split travel-related expenses with the taxpayers, who pay for the official portion.

The Republican National Committee (RNC) decides what percentage of a trip is political, prorates the total bill and reimburses the Treasury for its share. Vouchers for the Idaho excursion have not been processed by the RNC.

Besides the financial advantage to the party, the Idaho trip is an example of the powers of incumbency and the way it can be used in election season.

"The way this trip came about was an aberration," said Interior spokesman Steven Goldstein. "Trips are clearly set up with official business, and then, if there is additional time," an official will tend to political matters.

That is not what happened May 14-16 in Idaho.

"We picked the dates," said Idaho Republican Chairman Phil Batt. Goldstein said Lujan had decided to visit Idaho in May before the GOP invitation but had not set a specific date and did not have any particular business to conduct there.

A lot is at stake this year in Idaho politics. Republican Sen. Steve Symms is retiring, so that seat and one of two House seats are up for grabs. Rep. Larry LaRocco (D) is being challenged by Rachel Gilbert, who was a state senator for 10 years. With redistricting, Republicans "will have to work hard," said Batt, to keep their majority in the state House and to stay even with Democrats in the state Senate.

Bureau of Land Management Director Delos C. Jamison and Bureau of Mines Director T S Ary had other things to do when they were diverted to Idaho. Ary was on vacation babysitting his grandson. Jamison was returning from business in Denver to follow a meeting of the Endangered Species Committee, which voted to allow limited timber cutting in the Pacific Northwest forests, home to the northern spotted owl.

The committee—or "God Squad"—meeting is what kept Lujan in Washington.

Jamison said he asked his executive assistant, Wendy Evans, to fly to Idaho and "monitor the situation" in Washington for him by telephone. Although the Hatch Act prohibits Evans from taking part in partisan political functions, she accompanied Jamison to the fund-raisers, he said Friday. "What was she supposed to do, stand outside the door?"

As Senate-confirmed presidential appointees, Lujan, Jamison and Ary are exempt from Hatch Act restrictions.

Jamison and Ary arrived in Coeur D'Alene on Thursday afternoon, May 14. Jamison ran into five members of a mining lobbying group at his hotel and held an impromptu meeting with them, which he said was official business.

In the evening, Jamison and Ary spent about four hours at two fundraisers—one a \$10-a-place hot dog bash that drew 120 people; the other a \$50-a-ticket cocktail party attended by about 50 supporters.

At the hot-dog bash Jamison berated LaRocco. "We're here to help Republicans any way we can, any time we can," he said, according to an article in the Coeur D'Alene Press. ". . . I'd sure like to work with someone other than LaRocco."

The next day, Jamison, Ary and Sen. Larry E. Craig (R), who had helped persuade Lujan to visit Idaho, were guests at a small breakfast of mostly timber and mining executives. The event raised about \$7,000.

Ary said he met briefly with two people before the breakfast to discuss official matters.

The three men then attended the Hecla Mining Co.'s board of directors' meeting. Hecla's political action committee traditionally has donated to both political parties, according to Federal Election Commission records.

The meeting, which Interior spokesman Goldstein labeled as an official part of their trip, was arranged only several days before it occurred. "We didn't know [Friday] was the day for the annual meeting," said Sandra Patano, Craig's regional director, who helped arrange the meeting. "I called them and said, 'If you have people who can meet with' Ary and Jamison, they will be in town Friday.'" A Hecla spokeswoman confirmed that arrangement.

Batt said the GOP "helped facilitate" the Hecla visit, too. "We want to convince Hecla" that the company should support the Republican Party.

The board members, described by Jamison as "the elite of the mining industry," talked with the three men for about 30 minutes. One topic was "how could we try to do closer work with the [Environmental Protection Agency] and the other people who were really slapping the regulations on," said Ary.

Ary then met with management of a local newspaper, which was concerned about environmental regulations affecting it. He subsequently returned to Washington.

Jamison went to a fire center near Boise, where he rode in a new fire observation plane. Afterwards, he attended another fundraiser. On Saturday, Jamison spent several hours at the annual Boise Interagency Fire Center open house before returning to Washington.

Jamison's travel expenses were \$1,868, and Evan's were \$1,580. Ary has not yet calculated his bill.

Last week, Sen. David Pryor (D-Ark.), chairman of a Governmental Affairs subcommittee, asked the General Accounting Office to investigate the propriety of the trip. "None of the meetings involved press-

ing or even routinely schedule, official business," Pryor wrote in a letter to Comptroller General Charles A. Bowsher. " \* \* \* Subterfuge was used as the basis for classifying the trip as a 'mixed' official and political trip."

"If the Hill was held to the same standard, there would be a lot of red faces up there," Jamison said. "I held out for a position [in government] that would not be under the Hatch Act. I wanted to be politically active—and probably will be sent home for it."

Mr. COCHRAN. Mr. President, on behalf of the managers, I yield myself such time as I may consume.

Mr. President, I was not aware of the content of this amendment until the Senator sent it to the desk. I have read the amendment and I am still not sure exactly what the practical impact of it would be if it were to be adopted.

It seems to me, there is an implied suggestion in the amendment that unauthorized travel is occurring on the part of the administration's schedule C employees or those in the senior executive service, and this amendment attempts to prohibit that or limit it and provide that there cannot be any travel at Government expense that is for political purposes. I guess that is what the practical suggestion is.

But by offering the amendment, if the Senate agreed to it, it would be tantamount to a finding that there was inappropriate travel occurring. I do not know that there is.

I understand that there is a Washington Post article, but I do not know that that is "the whole truth and nothing but the truth, so help you God," or rises to the level of sworn testimony before a hearing on which we could base a finding on a vote on this amendment.

But I have asked the staff to tell me what the legal consequences of agreeing to the amendment are and I am awaiting a response to that. We just had the amendment given to us, so I am not sure what we are going to suggest that the Senate do in response to it.

So while we are awaiting that, I am happy to yield the floor to others who might want to speak on the amendment.

Mr. BUMPERS. Mr. President, I do not care to speak on this amendment and I doubt that anybody else does.

I was going to make a suggestion and, if my distinguished colleague, Senator COCHRAN, agrees with it, I will convert it into a unanimous-consent request.

I would suggest that, while we are waiting for an answer on whether or not this is acceptable to the other side of the aisle, we proceed with the voting, and at such time as we dispose of the Bryan amendment and the Brown amendment, at that point the Chair could recognize the Senator from Mississippi to move to table or ask for the yeas and nays if he so chooses. Or we could accept the amendment. I am willing to accept it.

But that way, we could start voting. And I just ask the Senator from Mississippi if he has any objection to that method. Everybody understands the amendment. I do not think there is any reason to debate it.

Mr. COCHRAN. Mr. President, if the Senator would yield, I recall that we have told Senators that we expect the voting to begin, under the order that was previously entered, at about 9 o'clock. So I do not know that we are going to upset anybody's schedule if we do delay up to 5 minutes in order for us to determine what the response should be to the amendment of the Senator from Iowa.

So if it is OK, I would prefer we put in a quorum call until 9 o'clock.

Mr. BUMPERS. Mr. President, I further suggest to my colleague that we start the vote, but that we not terminate the vote prior to 9:15. At this point I ask unanimous consent that the vote on the Bryan amendment be a 15-minute rollcall vote, and that all votes thereafter be for 10 minutes.

Mr. COCHRAN. Mr. President, reserving the right to object, and I hope I am not required to object, it sounds like a very good idea to me. We are going to check to see if there is any objection on this side.

The PRESIDING OFFICER. There is a unanimous-consent request pending.

Mr. BUMPERS. Let me restate the unanimous-consent request once again. I ask unanimous consent that, once we begin voting on the motion to table the Bryan amendment, that there be a regular rollcall vote, as far as time is concerned, and that such votes as occur subsequent to that time be 10-minute rollcall votes.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

The Chair hears none and it is so ordered.

Mr. COCHRAN. Mr. President, with respect to the other question the distinguished Senator from Arkansas raised a moment ago, we have no objection to proceeding to the first 15-minute rollcall vote at this time and then sequentially to have the other vote he just limited to 10 minutes. In the meantime, we will get a reaction to the Harkin amendment.

Mr. BUMPERS. Mr. President, certainly once we vote on the motion to table the Bryan amendment and the honey amendment and we get to Harkin, I am not even suggesting we yield back the remainder of our time. If it needs further debate, that is agreeable with me also. But at this time, there is a unanimous-consent agreement that we start immediately on the 15-minute rollcall vote.

Mr. HARKIN. If the chairman will withhold, might I inquire how much time do we have remaining.

The PRESIDING OFFICER. The Senator from Iowa has remaining 7 min-

utes and the Senator from Arkansas has remaining 4½ minutes.

VOTE ON AMENDMENT NO. 2778, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas [Mr. BUMPERS] to table the amendment of the Senator from Nevada [Mr. BRYAN]. The yeas and nays have been ordered and the clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Tennessee [Mr. GORE] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. HELMS] is absent due to illness.

The PRESIDING OFFICER (Mr. CONRAD). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 74, nays 23, as follows:

[Rollcall Vote No. 156 Leg.]

YEAS—74

Adams	Ford	McConnell
Baucus	Fowler	Murkowski
Bentsen	Garn	Nickles
Biden	Glenn	Nunn
Bond	Gorton	Packwood
Boren	Graham	Pell
Breaux	Gramm	Pressler
Bumpers	Grassley	Pryor
Burns	Harkin	Riegle
Byrd	Hatch	Robb
Chafee	Hatfield	Roth
Coats	Heflin	Sanford
Cochran	Hollings	Sasser
Conrad	Inouye	Seymour
Craig	Jeffords	Shelby
Cranston	Johnston	Simpson
D'Amato	Kassebaum	Specter
Danforth	Kasten	Stevens
Daschle	Kennedy	Symms
DeConcini	Kerrey	Thurmond
Dixon	Levin	Wallop
Dole	Lott	Warner
Domenici	Lugar	Wellstone
Durenberger	Mack	Wofford
Exon	McCain	

NAYS—23

Akaka	Kohl	Reid
Bingaman	Lautenberg	Rockefeller
Bradley	Leahy	Rudman
Brown	Lieberman	Sarbanes
Bryan	Metzenbaum	Simon
Cohen	Mikulski	Smith
Dodd	Mitchell	Wirth
Kerry	Moynihan	

NOT VOTING—3

Burdick	Gore	Helms
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So the motion to lay on the table the amendment (No. 2778) was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mr. EXON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2780

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment of the Senator from Colorado. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Tennessee [Mr. GORE] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. HELMS] is absent due to illness.

I further announce that, if present and voting, the Senator from North Carolina [Mr. HELMS] would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 54, nays 43, as follows:

[Rollcall Vote No. 157 Leg.]

YEAS—54

Adams	Durenberger	Mikulski
Akaka	Exon	Mitchell
Baucus	Ford	Pressler
Bentsen	Fowler	Pryor
Bond	Graham	Riegle
Boren	Gramm	Rockefeller
Breaux	Grassley	Sanford
Bumpers	Harkin	Sasser
Burns	Hatch	Seymour
Byrd	Heflin	Shelby
Cochran	Inouye	Simon
Conrad	Jeffords	Simpson
Craig	Johnston	Stevens
Cranston	Kassebaum	Symms
Daschle	Kerrey	Thurmond
DeConcini	Kohl	Wallop
Dixon	Lott	Wellstone
Dole	Mack	Wofford

NAYS—43

Biden	Hatfield	Nickles
Bingaman	Hollings	Nunn
Bradley	Kasten	Packwood
Brown	Kennedy	Pell
Bryan	Kerry	Reid
Chafee	Lautenberg	Robb
Coats	Leahy	Roth
Cohen	Levin	Rudman
D'Amato	Lieberman	Sarbanes
Danforth	Lugar	Smith
Dodd	McCain	Specter
Domenici	McConnell	Warner
Garn	Metzenbaum	Wirth
Glenn	Moynihan	
Gorton	Murkowski	

NOT VOTING—3

Burdick	Gore	Helms
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So the motion to lay on the table the amendment (No. 2780) was agreed to.

AMENDMENT NO. 2781

The PRESIDING OFFICER. The pending question is the amendment of the Senator from Iowa, on which time remains.

Mr. DOLE. How much time is remaining on this side?

The PRESIDING OFFICER. The Republican leader has 4 minutes, 32 seconds. There are 7 minutes remaining for the proponent.

Mr. BUMPERS. Mr. President, I yield 4 minutes to Senator DOLE.

Mr. DOLE. Mr. President, I am told that the amendment offered by the Senator from Iowa [Mr. HARKIN] supposedly addressed itself to so-called abuses of travel by officials in the executive branch.

I am told that the amendment prohibits traveling to political events by these officials. Mr. President, there must be some mistake. I must have a copy of the wrong amendment. The amendment does not try to reduce spending by eliminating unnecessary travel or even political travel. It says that for a 35-day period no one covered

individual may travel more than an amount determined by computing past or similar travel using three formulas. That 35-day period starts October 1, this year, which ends a day after election, this year, 1992—not 1994, not 1996, but 1992.

My colleagues in the West might be interested to know that at the height of the fire season, you might be restricting supervisors of fire fighters from traveling, unless the supervisor was already a high flyer. My colleagues from farming areas might want to know that if disaster strikes in the growing season, officials who would be assisting with the disaster assessments and ensuring prompt payments, may be prohibited from doing so. Officials from the USDA might not get to travel to trade negotiations to stick up for our farmers.

Senators from the cities might want to know that food safety and inspection officials might not be dispatched to immediately address outbreaks of disease.

Mr. President, there is no provision prohibiting types of travel as suggested by the author. There is no effort made to save money, to reduce the deficit, or bring a reasonable reform to Government travel. This amendment is no bull-in-the-China-shop approach either—it is more like a nuclear aircraft carrier than a China shop. It is wrong-headed, and it does not address the concern expressed by the Senator from Iowa, and it will likely cause substantially more damage than cure.

Mr. President, further, if we are going to start playing these petty political games, there will be no more time agreements. And I have a feeling, if this amendment passes, it is going to be offered to every bill. We will offer one on the legislative appropriations bill that says no congressional staff can travel for 35 days and no Senator can travel, at any expense, who is up for reelection for 35 days.

This is nothing but pure petty politics. It ought to be defeated by a vote of 99 to 1. Let the Senator from Iowa vote for his own amendment. If we are going to play these games, no more time agreements. This is pure politics. It is an insult to a lot of good people in the Federal Government, who, I think, work hard. They do not participate in politics, and they are there to serve the public, so take a shot at them because they might be Republicans. That is fine. We are ready to play the game.

I am going to move to table the amendment. If it is not tabled, there will be no more time agreements on anything until we straighten this out.

Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The sponsor still has 7 minutes.

Who yields time?

Mr. HARKIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The managers have 1 minute, 20 seconds. The Senator from Iowa has 7 minutes.

ADDITIONAL COSPONSOR

Mr. HARKIN. I ask unanimous consent to add Senator DECONCINI as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, first of all, to respond to the distinguished Republican leader, this only covers 1992, because that is all the appropriations bills cover. It would be October, the first month of the fiscal year. That is why it does not cover any other years.

Second, I also say this does not cover career employees who would be working on disaster assistance programs or things like this. They are fully allowed to go out and cover any kind of disaster they need to cover.

The minority leader notes exactly what this covers—the kind of abuse we just saw reported from the Department of the Interior, where every election year they are like swarms of locusts, and they go out about the land and do it on taxpayers' money. I have no problem with political appointees going out and campaigning as allowed by law. That is fine, but not on the taxpayer's nickel. For the month of October, any employee that is so covered, schedule C or executive schedule, political appointees, they can travel; but they just cannot do it any more than they did a year ago during the same period of time. That is all. We are just saying do not have this big mushroom effect where, all of a sudden, 1 month before the election, all they do is go out and campaign for officials.

This is a good-government amendment. It is modest. We are not saying stop all travel. We are saying do not do any more than what is normal and sort of accepted in practice. That means they can still go out and visit all of the things that the minority leader addressed himself to, but none of this stuff where we see this huge mushrooming of traveling around the country 1 month before the election at taxpayers' expense.

I direct your attention to this article that was in the Washington Post: "Travel Expenses Over \$3,000 for Two Employees To Go Out and Campaign." That is what they did—a pure political practice. I think we ought to call an end to it. The taxpayers deserve a little better with their tax dollars.

Mr. DOLE. Why does this amendment not cover the committee staff in the Senate who have been going out for the last 30 days having little hearings and doing things out there for those who might be running in that particular area? Why did it not cover congressional staff? Why just executive?

You have a double standard here. That is the way it works. It seems to

me that this amendment should not even be considered. If somebody is violating the law, why do you not file a complaint with the Justice Department and have them indicted or something, or get a special prosecutor. You are good at that on that side of the aisle. Maybe you can run down this guy that spent \$3,000 and lock him up.

This is crazy stuff. If it is going to happen, we are going to include the committee staff and congressional staff, your office staff, and even Senators who are up for reelection.

The Senator is saying the schedule C people and people who are supposed to know the most cannot go out anywhere for 35 days. I say again that is an insult to a lot of good people who work for the Government. They happen to be schedule C. Maybe in this case they are Republicans. He could make this permanent law. It does not have to be restricted to 35 days. This happened to single out 1992.

It seems to me that if we want to start playing that game, if hardball season is here, then we are prepared to play hardball.

I will move to table the amendment. The Senator has not yielded back.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes and 45 seconds remaining.

Mr. HARKIN. I said congressional staff should not be traveling.

Mr. DOLE. Put it in here.

Mr. HARKIN. They should not be traveling any more than what travel they traveled last year. If they have to go out and travel, fine, but not any more than last year. There should not be a more mushrooming effect here than the second amendment.

Mr. DOLE. Why do you not offer an amendment—

The PRESIDING OFFICER. The Senator from Kansas is out of order.

The PRESIDING OFFICER. The Senator from Iowa retains the floor. The Senator from Iowa has 4 minutes remaining.

Mr. HARKIN. Mr. President, if someone wants to offer an amendment saying congressional staff should not travel more in October than they did last year, I would be the first to support that. That is not covered in this bill. This covers part of the executive branch. If they want to do that, fine. They should not be traveling. We should eliminate that kind of political campaign done at taxpayers' expense.

This is what this amendment seems to do. I did not think that onerous. It evidently must be to some people, but not to me. It is onerous to see people going out there and campaigning in October. They are doing it on taxpayers' dollars. That is what is onerous. I hope it passes. It is modest. It does not say

they cannot do it anymore this year than last year.

Mr. DECONCINI. Mr. President, will the Senator yield for a question?

Mr. HARKIN. I yield for a question.

Mr. DECONCINI. Is the Senator aware that some of these political appointees of this administration traveled to the Democratic convention in New York to do a hit on Governor Clinton and it was paid for by the taxpayers? One of those was our esteemed drug czar, Governor Martinez. And there he is with 42 percent of his office political appointees, up there as a politician, not tending to the drug business but up there doing a political hit at the cost of the taxpayer. Would the Senator think that is a little bit out of line?

Mr. HARKIN. I was not aware of that. I think it out of line doing that in July. What is going to happen in October was what we are trying to amend to limit this practice. I know it has been going on a long time. It is time we end this long-time practice. If they want to use the Republican Party money or Democratic Party money, go out and do that, but not the taxpayers' money.

If no one else on my side of the aisle seeks time, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator yields back the remainder of his time.

Mr. DOLE. Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the motion to table.

The majority leader.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the Senator from Iowa be permitted to address the Senate for 3 minutes, following which I be permitted to address the Senate for 3 minutes.

The PRESIDING OFFICER. Without objection, it is ordered.

The Senator from Iowa is recognized for 3 minutes.

Mr. HARKIN. Mr. President, after consultation with the majority leader and the majority whip, it would be my intention to ask unanimous consent to withdraw this amendment. I wanted to make it very clear, however, to the distinguished minority leader in his comments and to those who were here, that this is an appropriations bill only for the Department of Agriculture and related agencies and it does not cover anybody employed anywhere else. So the amendment only covered those employees of the Department of Agriculture and related agencies. It could not reach out to anyone else. It had to be germane to this bill and cover only this appropriations measure. That is why it covered those employees. I wanted to make that very clear.

Mr. President, I must admit being somewhat disturbed by the comments that were made by the distinguished minority leader. I have a great deal of respect for the Senator from Kansas and he knows that. But, quite frankly, what we heard tonight was a direct threat, a direct threat to this institution to shut it down.

We hear a lot of talk about gridlock. That is what Mr. Perot was campaigning about. That is what the American people are upset about: gridlock. We just heard the most blatant threat of gridlock, to close this place down, shut it down so we cannot operate if we move ahead with this amendment.

This amendment shuts down some of these blatant political abuses. It was a threat to really engage in gridlock here on the Senate floor. That is politics. That is politics. This amendment is not politics. This amendment is to stop political abuses or at least to try to temper them somewhat, to try to cut down on the political abuses. But the threat that we just heard to close this place down, to provide gridlock here on the Senate floor so that we cannot move ahead with anything, that is politics. That is what the American people are sick and tired of.

We are going to have this amendment again. We are going to have it again because it is in the right vein. It is what the American people want. They do not want their taxpayers' dollars used by political appointees going around campaigning around this country. And what they do not want is any more gridlock on the Senate floor either. I do not think we need any more threats of gridlock when people offer amendments. We ought to have a vote on it and vote it up or down; and if I lose, I lose; if I win, I win. But we ought to have that vote. But because of that threat, Mr. President, I am going to have to ask unanimous consent to withdraw my amendment.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Iowa?

The Chair hearing none, without objection, the request is agreed to.

The amendment (No. 2781) was withdrawn.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MITCHELL. I ask unanimous consent following my remarks the distinguished Republican leader be recognized to address the Senate for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Mr. President and Members of the Senate, it is obvious that there is significant disagreement on this amendment here this evening. But there is one thing on which there ought to be no disagreement and that is that taxpayers' money ought not to be used by public officials in whatever capacity to engage in political campaigning. The amendment seeks to address an abuse.

The suggestion was made by the Republican leader that the amendment ought to include employees of the legislative branch. I have asked the chairman of the Rules Committee, Senator FORD, to review the matter with his colleagues on both sides of the aisle and to draft legislation that would accomplish what I think we all share as a common objective. And that if there are abuses of the public trust, by persons in whatever capacity—executive, legislative or other—they ought to be stopped and we ought to have a way to do it that would be the subject of agreement among Senators and not disagreement. And I hope very much that that would be accomplished and we will be able to vote on that in the near future.

In the meantime, I thank the Senator from Iowa for his courtesy in withdrawing the amendment and permitting us to proceed.

There is one comment by the distinguished Republican leader with which I must express my disagreement, respectfully. We are friends and will continue to be.

The suggestion was made that this amendment was purely political and that it was the beginning of hardball. With all due respect, I will say that I have been majority leader 3½ years and I and many of our colleagues have voted on literally dozens of amendments that we regarded as purely political and serving no useful purpose. So I guess it is a matter of subjective judgment.

If it is a political amendment, it is surely not the first to be offered in the Senate and not the first this year, perhaps not even the first this month. So I do not think anything began here this evening. I think if we all made up a list of some of the amendments that have been offered and voted on in the Senate over the past 3½ years, we would find more than enough amendments that every single Senator could reach a con-

clusion were political in nature and were intended for no purpose other than to embarrass other Senators or to force them to vote.

One of the things I have tried to do as majority leader is to reduce the number of votes cast because it has been my conclusion that a large number of the votes we cast are extraneous to the legislative purpose and have, frankly, purely political purposes. And it is nothing new around here.

So I respectfully disagree, both in the characterization of this amendment and the suggestion that somehow if it is a politically inspired amendment, it is the first time it has happened or it is the beginning of something around here. Perhaps it will be the end of something around here which we could all applaud.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. DOLE. I thank the majority leader and the Senator from Iowa for withdrawing this amendment. We spend a lot of time here trying to accommodate everybody. I think I have been accommodating over the years, spent a lot of time trying to put time agreements together, and maybe I was not alert earlier on to this amendment. I am not certain it applies just to agriculture. It says, "No funds appropriated under this or any other act may be expended." I do not know what "any other act" may mean, but it seemed to be a fairly broad amendment.

In any event, we have the Hatch Act. If there was a violation of the Hatch Act, it ought to be pursued and I think the majority leader—I would agree, let us direct somebody to take a look at it. If somebody is out there using taxpayers' money for political purposes, whether it is political staff or personal staff, or whether it is executive staff, then it should not happen.

But it seems to me that when this amendment was offered—it covers a 35-day period this year, between October 1 and November 5. It would not take a rocket scientist to figure out what the aim of the amendment is. And I am not a rocket scientist, but I figured it out after somebody explained it to me.

So it seemed to me to be fairly partisan.

We have had political votes here, yes. And I kept saying—I do not think we ever had one like this, but I will go back and search the record.

I did not threaten to close down the place. I did say there would be no more time agreements. That would not be closing it down, just slow it down a little, not close it down. So I make that clear.

I do not have any quarrel with the Senator from Iowa. We have both been "Presidents" of Iowa and got along fairly well over the years.

So, it is as far as we got, but it was worth it.

In any event, I will be happy to work with the majority leader, in any way he wishes, to try to expedite the business of the Senate. And I think this is a good result.

If the distinguished Senator from Kentucky comes up with a broad amendment that will cover everybody, then I think it will probably be accepted.

I yield back the floor.

USDA REIMBURSEMENT FOR SENIOR CITIZEN MEALS UNDER THE OLDER AMERICANS ACT

Mr. ADAMS. Mr. President, I would like to commend the Appropriations Committee for bringing a thoughtful fiscal year 1993 funding bill to the floor under very difficult financial circumstances. I would like to address, however, a matter of grave concern to me, USDA reimbursement for senior citizen meals.

Under the Older Americans Act [OAA], which we hope to complete reauthorization of shortly, the USDA provides reimbursement for each meal served by OAA programs. This per meal rate is essential to senior meals providers across the country. Unfortunately, the current rate of 56.76 cents per meal has been fixed since 1987, and must be increased to help offset increased costs for food, personnel, and so forth. Congregate and home-delivered meals providers are struggling to maintain services despite impressive efforts to raise funds from every source imaginable. In the absence of an increase in the USDA rate, however, meals providers will be forced to reduce the number of meals served and, in some cases, will close meal sites.

That is why the pending OAA reauthorization bill includes a much needed increase in reimbursement to 61 cents per meal for fiscal year 1992 and indexes the rate in future years. I was delighted that the committee provided for fiscal year 1992 \$151.492 million to ensure reimbursement at the 61 cents per meal rate. Unfortunately, the USDA has refused to provide the increased rate in the current year because we have not yet reauthorized the OAA.

As chairman of the Subcommittee on Aging, I am very concerned about the impact of the level of appropriation provided for fiscal year 1993. I understand that the committee has provided a level of funding based on the USDA's prediction that 248 million meals will be served in fiscal year 1993, the same number of meals that the USDA claims will be served in fiscal year 1992. Furthermore, the USDA indicates that there will be a surplus in the fund that will allow for a higher per meal reimbursement as provided for in the pending OAA reauthorization bill.

Mr. President, I hope the USDA is correct, that there will be a surplus and that it will allow the reimbursement level that both the Senate and House have agreed to in the OAA reau-

thorization bill. But I don't think nutrition program managers will bank on that. And I don't think we can either. This is something that we must monitor closely in the coming months, not wait and see what happens at year's end.

I commend the distinguished Senators from Arkansas, Senator BUMPERS and Senator PRYOR, for expressing their serious concerns about this matter. I intend to work closely with both Senators BUMPERS and PRYOR to monitor this situation and, if it appears that adequate funds are not there to provide the authorized USDA per meal rate, to do all we can to seek additional funds specifically for this purpose. Older Americans especially low-income and minority seniors, who depend upon the meals served by this safety net program, deserve no less of a commitment from us.

Mr. DODD. Mr. President, on many occasions in this Chamber we have talked about the decline in the defense budget, and the impact of those defense cuts on working men and women across the country. Today, with the consideration of this appropriations bill, we now have a chance to do something about this very important problem.

I want to commend the chairman of the Subcommittee, Senator HOLLINGS, and the ranking minority member, Senator RUDMAN, for their foresight and initiative in putting together the economic conversion package contained in this bill. And I also want to commend Senator PRYOR for his work as chairman of the Conversion Task Force, which was behind many of the recommendations in this bill today.

Mr. President, the end of the cold war brings promise and hope to every generation of Americans. But for the loyal workers in our defense industries—the true veterans of the cold war—the short-term future is very dark indeed. It is a sad but unavoidable irony: that the very people who brought about the collapse of communism will suffer the most for their efforts.

Over the next 10 years, some 2.5 million people will be thrown out of work, their crime nothing more than a job well done. In Connecticut alone, 37,000 people will be out of a job by the year 1997. These people have done nothing wrong. They have not failed in their jobs. Rather, they have served their country loyally—and with great pride and honor.

And now we must take stock of our obligation to them.

Just last Friday, Mr. President, the Senate Armed Services Committee approved a defense authorization bill that earmarks \$1.2 billion of conversion assistance. That bill lays the groundwork for the bill we are considering today, and I'd like to take this opportunity to highlight some of its provisions.

For workers and military veterans, the bill contains \$50 million for assist-

ance to displaced defense workers under title III of the Job Training Partnership Act, early retirement incentives for members of the armed services, and separation pay for reservists who are involuntarily separated.

For communities, the bill contains \$20 million for planning grants for impacted communities through the Office of Economic Adjustment, \$150 million for public works projects in impacted communities through the Economic Development Administration, and \$58 million for school districts in impacted areas.

For companies, the bill contains \$100 million for industry partnerships in critical dual-use technologies, \$50 million for industry partnerships designed to enhance commercial-military integration, \$100 million for industry partnerships designed to strengthen regional technology alliances, and \$25 million to enhance defense advanced manufacturing technologies.

The bill also includes \$100 million for State and local manufacturing extension programs, \$30 million for manufacturing engineering education programs, and \$200 million to support Federal, State, and local programs designed to enhance dual-use technology and strengthen small businesses.

That was a good start, Mr. President, in finding a solution to the problems created defense cuts. The bill before us today represents another important step forward.

To help defense industries and workers find new lines of commercial work, the bill sets aside \$109 million of technology extension services through the National Institute of Standards and Technology, \$80 million of public works projects through the Economic Development Administration, and \$40 million of small business assistance through the Small Business Administration.

Each of these provisions, Mr. President, would be worthy of note on its own merits. The \$109 million for technology assistance, for example, will allow defense-dependent regions like New London, CT, to compete for a Federal technology extension center. Such a center could provide small- and medium-sized businesses with access to the latest in off-the-shelf technology, allowing them to modernize and convert their product lines.

The \$40 million in loan guarantee assistance will help small businesses obtain the capital they need to diversify their production. And it will provide additional assistance to help former defense workers start up their own businesses.

Taken together, this is a very strong package. The Senator from South Carolina and the Senator from New Hampshire should be proud of their work.

Many times before in this Chamber, I have joined with Senator PRYOR and

other members of the Task Force on Conversion to talk about the issue of economic conversion. Today we are doing something—for America's defense industries, for America's local communities, and most important, for America's workers.

IN SUPPORT OF THE FIVE-STATE SWINE CONSORTIUM

Mr. DIXON. Mr. President, as we consider the fiscal year 1993 Agriculture and Rural Development Appropriations bill on the Senate floor today, I rise in support of the Five-State Swine Consortium.

The University of Illinois, Iowa State University, the University of Minnesota, the University of Nebraska, and South Dakota State University are all members of this consortium, which is managed through the Bioenvironmental Engineering Laboratory at the University of Illinois.

The purpose of this program is to help make the United States a more competitive force internationally in swine production, and assure a profitable future for our country.

Mr. President, the swine industry is a \$10 billion business in the United States. More than 60 percent of this production is in the five States which make up the consortium—Illinois, Iowa, Minnesota, Nebraska, and South Dakota.

For our country to successfully compete in the world market we need to develop and improve our swine production and management systems. As it is now, the European markets are way ahead of the United States in funding research programs in this field and are rapidly improving their efficiency and profitability.

The Five-State Swine Consortium will allow the pork producers to develop production and management systems that will improve animal health, reduce the needs for antibiotics, protect air and water quality, safeguard operator health, and enhance economic efficiency.

This industry is crucial to America's rural economy and the Consortium will allow us to be viable in the international market. When our farmers suffer, we all suffer. When our farmers prosper, so does our country.

Specialists in agricultural engineering, animal sciences, agricultural engineering, and veterinary medicine will work together to determine how to improve swine production.

There are many factors involved in the pork industry and it is important to study how they relate to the overall picture. The Consortium will allow these experts to develop technologies and strategies that will provide a cleaner and healthier environment for pigs and the swine facility operators.

My home State of Illinois is a large pork producing State and I know firsthand how important the pig farmers are to our economy.

I urge the U.S. Department of Agriculture to support the Five State Swine Consortium in its mission to improve the United States swine production industry. It is important that the United States industry develop and adapt better technologies, allowing our own farmers to compete with their European counterparts.

Mr. BUMPERS. Mr. President, I recognize the importance of the pork industry in our country and support the Five-State Swine Consortium in its quest to strengthen the U.S. International Competitiveness.

Mr. DIXON. on behalf of my State of Illinois and the other pork producing States, I thank the distinguished Senator from Arkansas.

FREEMAN CENTER FOR INTERNATIONAL ECONOMIC STUDIES

Mr. DURENBERGER. Mr. President, I supported funding an agriculture program on North American economic integration in the fiscal year 1993 Agriculture, Rural Development, and related agencies appropriations bill. This program would be located at the Freeman Center for International Economic Studies at the University of Minnesota.

The subcommittee was unable to fund this important program. However, this program must still go forward. As the United States moves toward a North American free market with Mexico and Canada, our agricultural producers need to be able to fully take advantage of these markets. This project at the University of Minnesota would enable U.S. producers to target key agricultural sectors for maximum growth, production, and investment.

It is my hope that the distinguished Senator from Arkansas who is managing this bill would support this concept. By supporting this important project, the Appropriations Committee would be sending a strong signal to farmers that we are going to help them take advantage of the new North American markets.

Mr. BUMPERS. Mr. President, I support the Senator from Minnesota's concept for an Agriculture program on North American economic integration. This program would provide significant help to farmers who will need to understand how they can most effectively take advantage of these markets. This program is meritorious. Unfortunately it came to the committee late and the committee could not consider it this year. However, I assure the Senator that this project will be given the committee's full consideration next year.

The committee urges the Department of Agriculture to work with the Freeman Center for International Economic Studies at the University of Minnesota to help facilitate this project.

VISION 2000—FOOD ANIMAL PRODUCTION MEDICINE CONSORTIUM

Mr. DIXON. Mr. President, as we consider the fiscal year 1993 Senate Agriculture and Rural Development Appro-

priations bill, I rise to support a program of which the University of Illinois is a participant: the Vision 2000 Program, or the economically sound preharvest food safety proposal of the Food Animal Production Medicine Consortium.

The food supply in the United States is among the safest in the world. However, serious illness and death occur each year from food contamination. Consumer alarm is escalating over the dangerous contamination of meat and dairy products from microbes such as salmonella and campylobacter, and from chemical contaminants including hormones, sulfa residues, and pesticides. Trade barriers are placed upon American meat products by foreign trading partners because of alleged food safety concerns.

If these problems are to be corrected, a comprehensive sequence of food safety research and education programs are essential. Although Federal inspection programs exist at the processing level, little attention is directed to livestock surveillance prior to leaving the farm, where nearly all bacterial hazards enter into the food chain and are spread. This program, Vision 2000, was developed to deal with food contamination before it begins.

The Food Animal Production Medicine Consortium was established by six land-grant universities: the University of Illinois, Kansas State University, Michigan State University, the University of California, the University of Florida, and the University of Nebraska. Comprised of interdisciplinary teams of scientists, the Consortium will investigate animal health problems and practices on the farm that lead to contamination. The program will focus on improved detection and correction systems, information extension to farmers, and veterinary training in the food safety field.

In the fiscal year 1993 budget proposal from the President, the Department of Agriculture is requesting \$115 million under the Food Safety Initiative Program. The food safety inspection service and the Agriculture Research Service will use this funding to conduct research that parallels the studies to be explored by the consortium. I would like to urge consideration to provide funding of this consortium from within the Food Safety Initiative Program.

In closing, Senator BUMPERS, if we are to be thorough in reaching the highest food safety standards for our citizens, we must start on the farm. The Food Animal Production Medicine Consortium and the Vision 2000 Program provide the key component towards a comprehensive effort to maintain the safety of our food supply.

Mr. BUMPERS. Thank you for calling our attention to this important research project. I too agree that food safety is a concern among increasingly

health-conscious Americans. I support the establishment of a program such as the Food Animal Production Medicine Consortium which will take steps to examine and address food hazards at the source.

PEANUT RESEARCH UNIT—STILLWATER, OK,  
AGRICULTURE RESEARCH SERVICE

Mr. NICKLES. Mr. President, I thank the managers of the bill, Senator BUMPERS and Senator COCHRAN, for allowing me to clarify for the record the funding status of the Agriculture Research Service's peanut research unit in Stillwater, OK.

As the Senator knows, in 1990 the ARS proposed terminating research activities at the Stillwater unit and transferring its budget to ARS facilities in Georgia. Senator BOREN and I worked to prevent this from happening, and I authored bill language on this measure last year to prohibit ARS from shutting down the Stillwater unit.

The fiscal year 1993 ARS budget for the Stillwater unit is \$273,300. Because this funding level is insufficient to conduct the vital research needed by the entire Southwestern U.S. peanut industry, I requested that the committee provide a \$257,700 increase in the Stillwater unit's budget. Unfortunately, the committee was unable to fund my request or any other member's request for additional ARS research program funding. Thus, the Stillwater unit will be forced to operate for another year with a less-than-sufficient budget. Although I am disappointed about this situation, I wanted to clarify for the Record that the committee's decision with regard to my request does not prejudice future consideration of funding increases for the Peanut Research Unit in Stillwater.

Mr. BUMPERS. I thank the Senator from Oklahoma for his comments with regard to the peanut research unit in Stillwater, OK. I would like to respond on behalf of the subcommittee chairman, Senator BURDICK. Although we regrettably were unable to provide his requested funding increase for this facility, we were likewise unable to provide funding increases for any other ARS research program in the country. The Stillwater unit is funded at the 1992 level, and the committee intends for ARS to utilize this funding to operate the Stillwater unit during fiscal year 1993.

Mr. COCHRAN. I, too, would like to thank the Senator from Oklahoma for his interest in this matter. The committee provided language in the report accompanying this bill which urges the ARS to expand research activities at Stillwater. As the Senator knows, our funding allocation did not allow us to fund new research initiatives this year. However, we are well aware of the benefits provided by the peanut research unit at Stillwater as we anticipate that they will continue to produce such benefits in fiscal year 1993.

CLINICAL PHARMACOLOGY TRAINING PROGRAM

Mr. DIXON. Mr. President, as we consider the fiscal year 1993 Senate Agriculture and Rural Development appropriations bill, I rise to support an amendment which will provide \$1.9 million for the Clinical Pharmacology Training Program for the Food and Drug Administration.

More and more we are experiencing dangerous delays in new drug development and approval for treating diseases such as AIDS, breast and prostate cancer, hemophilia, and cystic fibrosis.

These delays are fueled by the shortage of medical personnel trained to conduct clinical drug trials.

Illinois is responding to this urgency with the creation of a unique technology transfer program, the Peoria medical research project. In conjunction with the University of Illinois College of Medicine, the consortium will accelerate drug development from the testing phase to the marketplace. The Clinical Pharmacology Training Program is the key component of the consortium which will provide this important training.

The Clinical Pharmacology Training Program is hailed by the National Technology Transfer Center in Wheeling, WV, as an important first—involving a Federal regulatory agency in a research and development consortium. The Food and Drug Administration has worked at great length to establish this project and fully supports the program.

Mr. President, thousands of lives are lost each day to AIDS and other diseases—lives that might have been prolonged if promising drugs were readily available rather than bogged down in bureaucracy. Safe and thorough testing and the swift introduction of these drugs into the marketplace are imperative if we are to make any acceptable inroads into fighting these diseases. The Clinical Pharmacology Training Program will solve this problem, and I urge my colleague's support of this amendment.

Mr. DODD. Mr. President, earlier today, the Senate considered a series of amendments offered by the distinguished Senator from Florida [Mr. GRAHAM], to freeze spending for various Commerce-State-Justice programs at fiscal year 1992 levels.

There is no doubt that we live in a world that has changed radically and fundamentally in the course of the past year. We should reexamine our spending priorities in light of those changes. We should bring resources home, and work on our problems here in America.

So, with that in mind, I supported freezing the budget for the Department of State. With the cold war now over, it simply does not make sense to keep increasing the budget for diplomats and foreign policy analysts. With the need diminished, the State Department should learn to make do with less.

But I could not support an across-the-board freeze on the Justice Department, because that Department must spearhead the war on crime. It must continue to channel needed resources to police departments across the country.

I also could not support an across-the-board freeze on the Commerce Department. We need a plan to pull our Nation out of the recession. We need to bolster the economic competitiveness of American businesses. And we need to help defense workers and defense companies adjust to reduced defense spending. The Commerce Department is the best agency to coordinate all of these missions, and it would be penny-wise and pound-foolish not to give it the resources it needs to carry out these responsibilities. For this reason, I opposed the Graham amendment to freeze Commerce Department funding.

#### SWEET POTATO WHITEFLY

Mr. SEYMOUR. Mr. President, I would like to engage Senator BUMPERS, acting chairman of the Agriculture Appropriations Subcommittee and Senator COCHRAN, the ranking minority member in a colloquy regarding funding for biological controls for the sweet potato whitefly. I would first like to thank Senator BUMPERS and Senator COCHRAN for their efforts to assist California producers who suffered crop losses last year due to this notorious pest.

In the fall of 1991 a resilient strain of the sweet potato whitefly infested California's Imperial and Riverside Counties. Due to lack of known effective pesticides or natural predators, the whitefly outbreak decimated fall crops. Crop losses alone reached \$125 million, while related economic losses to local communities reached almost \$170 million. More than 4,000 jobs were lost in California. On November 9, 1991, California Governor Pete Wilson declared a state of emergency for Imperial and Riverside Counties.

The whitefly is a serious threat not only to California, but to Mississippi, Arkansas, Texas, and Arizona. Unfortunately, the Senate Agriculture Appropriations Subcommittee has appropriated only \$850,000 for biological control measures nationwide for this harmful pest. The House appropriated \$3.5 million, which leaves this issue open to negotiations during conference.

The importance of controlling this pest is directly related to California's economy, not only in Riverside and Imperial Counties, but throughout the State. I ask Senator BUMPERS and Senator COCHRAN if they feel there will be an opportunity to increase APHIS funding for whitefly control efforts during the conference with the House?

Mr. BUMPERS. As Senator SEYMOUR has indicated, the sweet potato whitefly is a serious threat to numerous crops throughout the United States. The House did appropriate \$3.5

million for control efforts, while the Senate appropriated \$850,000. I note the subcommittee did allocate \$1.4 million for whitefly research funding for the Agricultural Research Service. But, the Senator makes a good point, and we should look into increasing the Senate figure.

Mr. COCHRAN. I appreciate Senator SEYMOUR's bringing this issue to our attention. Senator SEYMOUR has fought valiantly for the last year for funding for research and to control this pest. The Senator is correct, the whitefly is a serious threat to producers not only in California, but in Mississippi and Arkansas as well. I think that we should recognize the serious threat this pest poses, and consider doing whatever we can to increase APHIS whitefly appropriations during conference.

#### PEANUTS

Mr. FOWLER. It is my understanding that the former Soviet Republics are in need of a minimum of \$50 million of peanuts and peanut products. It is their hope to put this nutritious product, not only on the shelves of their stores, but also in their feeding programs within the schools. It is also my understanding that the Senate Agriculture appropriations report contains language that supports this inclusion of peanuts and peanut products in the GSM credit program for the former Soviet Republics. Is that the understanding of the Senator from Arkansas?

Mr. BUMPERS. The Senator from Georgia is correct.

#### ELDERLY FEEDING PROGRAM

Mr. BUMPERS. Mr. President, I have long been an ardent supporter of the elderly feeding programs. The senior citizen centers serve congregate meals and meals-on-wheels to senior citizens across the country. I frequently visit the centers in my State, and I can tell you the benefits of the senior meals programs are tremendous. The benefits go beyond the nutritious meals seniors receive. For seniors who are homebound and receive meals-on-wheels, the regular contact with the person who delivers the meal can be an important part of the day, and the fellowship seniors enjoy while eating meals at the centers is an additional benefit of the program.

The senior citizen centers receive funding from the Department of Health and Human Services, appropriations for which are made by the Labor-HHS-Education Appropriations Subcommittee. In addition, the Agriculture Appropriations Subcommittee provides commodities, or cash in lieu of commodities, for the senior feeding programs. Some States elect to take all of their subsidy in cash and some States choose to receive a combination of cash and commodities. The reimbursement rate per meal is set by law, and the current rate is 56.76 cents per meal. The committee provided funding for the senior meals programs that is adequate to re-

imburse for 252 million meals in 1993. According to the USDA, this is an increase in the meals served from the 1992 level of 248 million.

Meals program administrators have justifiably complained that the per meal reimbursement rate has been frozen for the last 4 years, resulting in a decline in their purchasing power. This is a matter to be considered by the authorizing committee, not the appropriations committee. The authorizing committee has responded to this situation and has approved, as part of the reauthorization of the Older Americans Act, an increase in the reimbursement rate to 61 cents per meal. The Older Americans Act reauthorization is pending action by the full Senate.

If the reauthorization measure is approved, the current appropriation level will not allow for an increase in the number of meals served to senior citizens. According to the United States Department of Agriculture, the funding included in the bill will cover the same number of meals as served in 1992, 248 million.

The meals administrators dispute the USDA estimates. They admit that the number of meals is staying static or decreasing, but they say that is because the Older Americans funding, both commodities support and general operating support, is simply not keeping pace with inflation. They say the increased rate of reimbursement will allow them to make up years of lost ground and begin to meet the unmet needs of seniors.

I strongly support the increase in the reimbursement rate, and I would like to see an increase in the number of meals served to senior citizens. I am very troubled by reports that some feeding sites are being closed and some programs are reducing the number of meals they serve. If the reimbursement rate is increased and the demand for meal reimbursement increases, I will do everything I can as a member of the Appropriations Committee to secure supplemental appropriations for the program. I would be willing to press for greater appropriations now if I could make a clear case that the demand for senior meals, reimbursed at 61 cents per meal, will exceed the 248 million meals projected by the Department.

I want to alert the Senate to this potential problem and put them on notice that it may be necessary to look for additional funds for the senior meals program in fiscal year 1993.

Mr. PRYOR. Mr. President, included in the subcommittee's report is a \$10 million decrease in the nutrition program for the elderly. This vital program authorized by titles III and VI of the Older Americans Act [OAA] provides commodities or cash in lieu of commodities used in preparing congregate and home-delivered meals for some of the most vulnerable of our elderly population. Currently, commod-

ities or cash in lieu of commodities are distributed through State agencies to local meal sites at a specific per meal rate of 56.76 cents.

The current USDA commodity reimbursement level of 56.76 cents per meal was frozen in 1987, resulting in a decline in real purchasing power for title III nutrition providers in each of the last 4 years. This reduced funding comes at a time when the elderly population, particularly the 85 plus population, is growing rapidly and when there are disturbing reports that many senior nutrition programs are closing sites or reducing the number of meals that they serve. The \$10 million decrease in this vital program will have a devastating impact on these programs, causing additional closing of sites and reduction in meals served.

The Department of Agriculture asserts that there is a surplus of funds available to make up for the decrease in funds. In the coming months, I will be evaluating this position to ensure that there will be sufficient funding to prevent further erosion of the nutrition programs for the elderly. If this surplus is not available, I will work closely with my good friends, Senator BUMPERS and Senator ADAMS, to find ways to maintain at least current service levels of this important program. Moreover, I will continue my efforts to work towards assuring the increased authorization levels incorporated in the pending OAA reauthorization legislation, which Senator ADAMS has authored.

#### FDA ENFORCEMENT

Mr. D'AMATO. Mr. President, I want to commend the managers of this bill for addressing, through report language, several matters of serious concern regarding the Food and Drug Administration. The first involves reports of certain inefficient and excessive enforcement actions by the agency, and the second deals with the continuing backlog at the agency of pending new and abbreviated new drug applications. I ask that the Senate language, echoing similar concerns expressed by the House Appropriations Committee, be inserted in the RECORD at this point.

The Committee shares the concern of the House about reports of certain inefficient and excessive enforcement actions by the FDA, coupled with a continuing backlog of pending new and abbreviated new drug applications. In considering future requests for enforcement funding, the Committee intends to review FDA's efforts to eliminate the backlog and to achieve compliance with this statutory requirement for generic and brand-name drugs. The FDA is expected to apply its regulatory standards uniformly and consistently.

Mr. President, having called to the attention of my colleagues more than 9 months ago my concerns about apparently retaliatory treatment of a New York company at the hands of the FDA, I am pleased that managers of this bill have also expressed concerns

about possibly inefficient and excessive use of the agency's enforcement powers. My concerns at that time centered around the agency's threatened shutdown of Barr Laboratories, a New York-based company and major producer of generic drugs that had testified before the House Energy and Commerce Committee in 1989 regarding unlawful actions by FDA staff and certain companies. As I stated at that time, I have no objections to FDA taking enforcement actions that are justified; in fact, I fully expect the agency to aggressively pursue those companies who violate the law. Nevertheless, I was, and continue to be, troubled by the appearance of retaliation in FDA's unusual effort to shut this company down entirely, rather than simply discontinuing those products about which the agency had raised concerns.

Mr. President, I understand that the case of Barr may be just one of several instances of apparently excessive enforcement activity on the part of FDA. I do not pretend to know the full extent of this problem, and I make no comment on the merits of any pending litigation involving Barr or any other company. However, I do know that any degree of inconsistency and inefficiency in FDA's use of enforcement resources—especially at a time when the agency has a significant backlog of pending new and abbreviated new drug applications—serves only to undermine the FDA's primary mission of ensuring that the American public has access to safe, effective, and affordable pharmaceutical products.

The public has a right to expect that FDA will be thorough and evenhanded in its inspection and enforcement of all drug manufacturers, whether generic or brand name; but when either the industry or the public perceive bureaucratic indulgence without demonstrable benefits, the entire enterprise of the FDA will crumble.

Again, I am pleased that the managers of the bill have noted concern about this situation. I fully share their expectation that the FDA apply its regulatory standards uniformly and consistently, and I intend to monitor the agency's actions closely to ensure that it does so.

Mr. LAUTENBERG. Mr. President, I want to highlight several items of importance to my State that are included in the Senate Agriculture appropriations bill for fiscal year 1993. I also want to extend my thanks to my distinguished colleagues, Senator BURDICK and Senator BUMPERS, for their efforts during a difficult time to prepare this bill.

#### RUTGERS PLANT BIOSCIENCE CENTER

At my request, the fiscal year 1993 Agriculture appropriations bill includes \$3,044,000 for the construction of a Plant Bioscience Center at the Rutgers University Cook College of Agriculture. The Bioscience Center will

provide a home for distinguished researchers in agricultural biotechnology and plant genetics. The 280,000 square foot Plant Bioscience Center proposal includes state-of-the-art laboratories, a research library, teaching classrooms and laboratories, and attached greenhouses.

Rutger's goal in developing this research complex is to integrate basic and applied research with extension activities to help ensure that agriculture in the Northeast remains profitable and environmentally sound. This center will be of great value to the agriculture and biotechnology communities in New Jersey and the Nation.

#### BLUEBERRY AND CRANBERRY RESEARCH

This bill also includes \$260,000 for the Blueberry and Cranberry Research Center at the New Jersey Agricultural Experiment Station in Chatsworth, NJ. This center generates and disseminates research information directly applicable to the production of high-quality blueberries and cranberries and develops new disease resistant strains of fruit. In addition to the development of cultural techniques and procedures, breeding and genetics, the research of the center aims to minimize the use of pesticides in the culture of these two crops.

In my State, blueberries and cranberries are grown in the Pinelands Region, an area designated as a National Reserve in 1978 by Congress. The only agriculture permitted under law is the cultivation of indigenous species of blueberries and cranberries. The Pinelands Region sits atop the Mullica River watershed, which is considered the cleanest watershed on the East Coast. As a consequence, agricultural practices in this region must preserve the pristine nature of the watershed, yet provide an economic return to the farmers who depend on blueberries and cranberries for their livelihood.

In the past, funding secured by the Agriculture Appropriations Subcommittee has supported research on the development of disease resistant varieties of berries. Funds have also been used to develop new and safer pest control methods including integrated pest management. Research on the fate of pesticides in the bog environment is currently being undertaken to determine the movement of pesticides used in cranberry and blueberry culture. This research typifies the contribution made by the center to the production of blueberries and cranberries in the ecologically sensitive wetland areas where they are grown.

The State/Federal Research Program at the Research Center benefits not only the cranberry and blueberry industry in New Jersey, but also consumers of these berries across the country who enjoy improved varieties of cranberries and blueberries.

#### IR-4 RESEARCH PROJECT

Mr. President, finally, the fiscal year 1993 appropriations bill also includes

\$3.5 million for the interregional research project No. 4 ["IR-4"] headquartered at Rutgers Cook College in New Jersey.

The producers of the numerous small acreage minor crops do not always have the benefit of the modern pest management strategies available to producers of major large acreage crops. The IR-4 program was established to assist farmers and nurserymen obtain data on the safety and effectiveness of pesticides needed for Federal registration.

These pesticides are used for the protection of so-called minor crops, which include most vegetables and fruits, as well as nursery and floral crops. Minor crops are the foods we eat everyday—vegetables, fruits and nuts. Nationally, minor crops comprise more than 40 percent of the value of all crops grown in the United States and approximately 70 percent of the value the crops grown in New Jersey. The IR-4 research activities promote new and safer pest control technologies for minor crops which ultimately mean safer foods produced with fewer pesticides.

IR-4 is a cooperative effort of the state agricultural experiment stations and the U.S. Department of Agriculture working in concert with the agricultural chemical companies and the Environmental Protection Agency to pursue registration of minor use pesticides through EPA. Without the data provided by this essential research, many currently labelled pesticide uses will be lost to farmers and nurserymen because the small volume of pesticides involved is not sufficient to justify the investment by pesticide manufacturers to obtain Federal registration.

The IR-4 research establishes the effectiveness of pesticides and their safety for crop use and determines the extent of residue levels, if any. The program ensures that information necessary for the registration of safe and effective pesticides is available.

Mr. DOMENICI. Mr. President, I rise in support of the Agriculture, rural development, and related agencies appropriations bill as reported by the Senate Appropriations Committee.

This bill provides \$61 billion in new budget authority and \$40.2 billion in new outlays for fiscal year 1993 for the programs of the Department of Agriculture, rural development, Food and Drug Administration, and related agencies.

When outlays from prior-year budget authority and other completed actions are taken into account, the bill, as adjusted, totals \$55 billion in budget authority and \$45.8 billion in outlays.

I commend the distinguished subcommittee chairman and the ranking member for their support of \$2.86 billion for the WIC Program, an increase of \$260 million over 1992 levels.

I appreciate the subcommittee's support for a number of ongoing projects

and programs important to my home State of New Mexico as it has worked to keep the bill within its allocation.

I urge the adoption of the bill.

Mr. BUMPERS. Mr. President, third reading.

The PRESIDING OFFICER. Under the previous order, the clerk will read the bill for the third time.

The amendments were ordered to be engrossed and the bill (H.R. 5487) was read the third time.

Mr. WELLSTONE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Tennessee [Mr. GORE] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from North Carolina [Mr. HELMS] is absent due to illness.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 88, nays 9, as follows:

[Rollcall Vote No. 158 Leg.]

YEAS—88

Adams	Ford	Metzenbaum
Akaka	Fowler	Mikulski
Baucus	Glenn	Mitchell
Bentsen	Gorton	Moynihan
Biden	Graham	Murkowski
Bingaman	Gramm	Nickles
Bond	Grassley	Nunn
Boren	Harkin	Packwood
Bradley	Hatch	Pell
Breaux	Hatfield	Pressler
Bumpers	Heflin	Pryor
Burns	Hollings	Reid
Byrd	Inouye	Riegle
Chafee	Jeffords	Robb
Coats	Johnston	Rockefeller
Cochran	Kassebaum	Sanford
Cohen	Kasten	Sarbanes
Conrad	Kennedy	Sasser
Craig	Kerrey	Seymour
Cranston	Kerry	Shelby
D'Amato	Kohl	Simon
Danforth	Lautenberg	Simpson
Daschle	Leahy	Specter
DeConcini	Levin	Stevens
Dixon	Lieberman	Thurmond
Dodd	Lott	Warner
Dole	Lugar	Wellstone
Domenici	Mack	Wofford
Durenberger	McCaIn	
Exon	McConnell	

NAYS—9

Brown	Roth	Symms
Bryan	Rudman	Wallop
Garn	Smith	Wirth

NOT VOTING—3

Burdick	Gore	Helms
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So the bill (H.R. 5487), as amended, was passed.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. BUMPERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BUMPERS. Mr. President, I move that the Senate insist upon its amendments to H.R. 5487 and request a conference with the House on the disagreeing votes of the two Houses and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer [Mr. BRYAN] appointed Mr. BURDICK, Mr. BUMPERS, Mr. HARKIN, Mr. ADAMS, Mr. FOWLER, Mr. KERREY, Mr. BYRD, Mr. COCHRAN, Mr. KASTEN, Mr. SPECTER, Mr. NICKLES, Mr. BOND, and Mr. HATFIELD conferees on the part of the Senate.

Mr. BYRD. Mr. President, I commend Senator BUMPERS, a very able member of the Appropriations Committee, who, in the absence of Senator BURDICK, the chairman of the Agriculture Subcommittee, steered the fiscal year 1993 agriculture appropriations bill through subcommittee and full committee markup and has done a remarkable job in managing H.R. 5487 during Senate debate on the bill. The distinguished Senator from Arkansas has demonstrated that he is very knowledgeable as to the subject matter contained in the bill and he and the distinguished ranking member, Senator COCHRAN, deserve great credit for a job well done in managing this bill to successful Senate passage in 1 day.

Mr. BUMPERS. Mr. President, I would like to pay a special tribute and express my profound gratitude to my good friend, the distinguished ranking member, Senator COCHRAN, for his cooperation in getting this bill out of here today. He has done a splendid job.

I also want to thank the majority staff: Rocky Kuhn, Dan Dager, and Carole Geagley; and I also want to thank the minority staff: Irma Pearson, Mary Tenenbaum, and Christie Gibson; and two members of my personal staff: Galen Fountain and Elizabeth Goss, all of whom worked diligently to bring about the successful conclusion of this bill this evening.

Mr. COCHRAN. Mr. President, I have a special announcement to make in connection with the staff who helped so diligently in bringing this bill to the Senate and helping get it passed tonight.

Irma Pearson is celebrating a birthday today. This is quite a way to spend your birthday evening, on the floor of the Senate helping to deal with the issues as they arise. I commend her especially for her good work. I want to thank Rocky Kuhn, as well; and Mark Keenum, of my personal staff, who spent considerable time and effort in helping to deal with the issues and passage of this bill.

I also have to say that the distinguished Senator from Arkansas did an exceptionally fine job managing this bill. He is standing in, as you know, for the distinguished Senator from North

Dakota [Mr. BURDICK]. We appreciate very much the efforts Mr. BURDICK has made in the early stage of the hearings and bringing this bill to the point where Senator BUMPERS was able to manage its passage.

We thank him for all the courtesies and consideration he has given in connection with the handling of the bill.

Mr. BUMPERS. I thank my distinguished colleague for his warm praise and generous words, Mr. President.

#### MORNING BUSINESS

Mr. BUMPERS. Mr. President, I ask unanimous consent we be allowed to proceed with morning business, with Senators allowed to speak therein for such time as they desire.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FISCAL YEAR 1993 COMMERCE, JUSTICE, STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL

Mr. BYRD. Mr. President, this bill, S. 3026, making appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for fiscal year 1993, is the first of the regular fiscal year 1993 appropriation bills to be considered this year. In addition to the funds provided for these 3 departments and the judiciary, this bill provides necessary funding for 30 related agencies, including the U.S. Information Agency, the Arms Control and Disarmament Agency, the Board for International Broadcasting, and the Small Business Administration.

I commend Senator HOLLINGS, chairman of the subcommittee and Senator RUDMAN, the ranking minority member, for their painstaking and diligent efforts in managing this bill through committee and on the floor in such an expeditious manner.

Mr. President, this is the last appropriation bill the distinguished Senator from New Hampshire will help to manage on the Senate floor, and I want to take this opportunity to thank him for his outstanding service on the committee. I have always found him to be courageous, hardworking, courteous, open-minded, and evenhanded—a real joy to work with. This Senator, for one, will miss him.

With respect to the subcommittee 601(b) allocation, the bill as recommended is within both the budget authority and outlay ceilings. Within the constraints of a very tight budget the committee recommends increases in funding for law enforcement and Federal correctional activities, as well as providing for such longstanding congressional priorities as economic development assistance, weather service modernization, small business, and juvenile justice and delinquency prevention programs.

Mr. President, I urge passage of this bill.

#### A TRIBUTE TO BOB ZIEL

Mr. SYMMS. Mr. President, recently, an Idaho journalist was honored with the Idaho Bar Association's Liberty Bell award as a man who has grown to epitomize true American spirit. He is a man who stuck to his ideals throughout his career and focused on fact and fairness in an industry which often lends itself to widespread dishonesty.

Bob Ziel has blessed the State of Idaho since his appearance in radio and television in 1975 with unbiased journalism. He has remained optimistic in democracy and in the fundamental basis of what the United States stands for.

Mr. Ziel was born in New York to European immigrants, both from German descent. He did his undergraduate work at Pace College and expanded his education at the U.S. Naval School of Photography and at the Brown Institute for Broadcasting.

He served 4 years in the U.S. Navy as a photographer for an amphibious assault carrier unit at the height of the Vietnam war. For his service, he received numerous awards including: The Naval Unit Citation, the Vietnam Service Medal, the Vietnam Campaign Medal, and the National Defense and Good Conduct Award.

In 1975, Mr. Ziel moved to Idaho after attending broadcast school in Florida. There, he worked at KIGO radio and KADQ radio before picking up as a reporter and assignment editor at KIDK-TV for 13 years. Currently, he is 1½ years into his news director job at KID-AM radio.

He has amassed several awards for his loyal service to the public and to broadcasting including the Associated Press Best Treatment of Subject award and recognition by the 4H Club, in addition to the Liberty Bell award.

Mr. Ziel resides currently in Rigby, ID, with his wife, Virginia Jean, and their three boys Paul, Aaron, and Brian. He maintains a strong commitment to his family and religion through an active role in the Church of Jesus Christ of Latter-Day Saints, specifically as a teacher of the Elder's Quorum.

Mr. President, I ask unanimous consent that this statement be entered in the RECORD as a tribute to a great journalist and a fair man. I wish him continued success and a prosperous future.

#### GAYS IN MILITARY

Mr. HARKIN. Mr. President, I rise today to speak about two groups of military officers.

The members of one group are accused of gross sexual impropriety.

One member of the other group was ranked consistently as one of the best Navy bombardier/navigationers.

One group forced unsuspecting women—some of them fellow Navy officers—to run a gauntlet of lurid comments and fondling.

One of the other group had his picture hung under a sign that read "Top Gun," and has never been accused of behavior unbecoming an officer or of any impropriety.

One group is characterized by silence. No members of the first group—not one—has acknowledged who he is. This unwillingness to face the disciplinary action that is so clearly warranted is an unfortunate indication that these officers are not the kind we need in the U.S. Armed Forces. We do not need officers who degrade and abuse women. We do not need officers who do not behave themselves as gentlemen. And we sure do not need cowards who will not face the music.

One member of the other group is Lt. J.G. Tracy Thorne, who bravely came forward and acknowledged that he was not in compliance with Defense Department regulations—not because of anything he did, but because of who he is. Lieutenant Thorne is gay. And Lieutenant Thorne's exemplary record and ability make him exactly the kind of officer we need in the U.S. Armed Forces.

So guess which group is being thrown out of the Navy?

Mr. President, I proudly served as a Navy pilot. The day I won my wings is one of the proudest of my life. And I am proud to have served my country for 8 years, 8 months, and 8 days as a Navy pilot. But I am ashamed that the U.S. Navy has officers in the first group—those officers who participated in the activities in Las Vegas—and that it discharges officers like Lieutenant Thorne because of an outdated policy based on stereotype and prejudice.

Let me emphasize that I am not tarring all officers with the same brush. Most military officers have never engaged in the type of drunken assault on women that happened in the Las Vegas Hilton last September. However, I am concerned with the attitude that boys will be boys, and that the Tailhook incident may be a symptom of a much deeper problem within our Armed Forces.

Because I disagree with the administration's policy on gay men and lesbians in the armed services, I cosponsored Senator ADAMS' legislation calling on the President to overturn the ban. When I saw Lieutenant Thorne's appearance on "Nightline," discussing his sexual orientation and the military ban, I sent a letter to Secretary Cheney, asking him to place a moratorium on further discharges of gay service men and women. And today, I have joined as an original cosponsor of Senator METZENBAUM'S legislation to overturn the ban by law. This law would penalize people who commit sexual abuse, rather than punishing people be-

cause of their sexual orientation. Under this law, we would crack down on the men in the first group, and stop expelling the people in the second.

All of these efforts would be unnecessary if another former Navy pilot would recognize the unfairness of this outdated policy. That person is President George Bush. The President could overturn the ban with a stroke of his pen. Unfortunately, he is not willing to lead on this issue, as is the case on so many issues. His emphasis on family values, so called, has blinded him to the values of fairness, of decency, and of justice to Tracy Thorne, and to some 1,500 officers and enlisted personnel discharged each year for being gay. As it was when he opposed passage of the civil rights act last year, George Bush is not willing to step forward as a leader in favor of a change toward inclusion and fair treatment.

I know full well that neither of the bills I have cosponsored or the letter I sent to the Secretary of Defense will make any difference unless the President is willing to stand up for what is right—to come forward and forthrightly declare his support for fair treatment and inclusion for gay men and lesbians in our Armed Forces.

So I would ask the President of the United States: Is it not time to take a stand for a change?

#### REMOVAL OF INJUNCTION OF SECURITY

Mr. BUMPERS. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Treaty with the Russian Federation Concerning the Encouragement and Reciprocal Protection of Investment, Treaty Document No. 102-33, transmitted to the Senate today by the President; that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

*To the Senate of The United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the United States of America and the Russian Federation Concerning the Encouragement and Reciprocal Protection of Investment, with Protocol and related exchanges of letters, signed at Washington on June 17, 1992. I transmit also, for the information of the Senate, the report of the Department of State with respect to this treaty.

This treaty creates a favorable legal framework for U.S. investment in Rus-

sia. By adopting the treaty's high standards for protection of U.S. investment, Russia seeks to encourage the U.S. private sector to invest in Russia. For the United States Government, the treaty serves the goals of aiding Russia's transition to a market economy and of strengthening our bilateral economic ties.

In addition, the treaty is fully consistent with U.S. policy toward international investment. A special tenet, reflected in this treaty, is that U.S. investment abroad and foreign investment in the United States should receive fair, equitable, and nondiscriminatory treatment. Under this treaty, the Parties also agree to international law standards for expropriation and expropriation compensation; free transfers of funds associated with investments; and the option of the investor to resolve disputes with the host government through international arbitration.

I recommend that the Senate consider this treaty as soon as possible, and give its advice and consent to ratification of the treaty, with protocol and related exchanges of letters, at an early date.

GEORGE BUSH.

THE WHITE HOUSE, July 28, 1992.

#### FAMILY AND MEDICAL LEAVE ACT OF 1991

Mr. BUMPERS. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 5.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 5) entitled "An Act to grant employees family and temporary medical leave under certain circumstances, and for other purposes", do pass with the following amendment:

Strike out all after the enacting clause, and insert:

##### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the "Family and Medical Leave Act of 1991".

(b) *TABLE OF CONTENTS*.—

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purposes.

##### TITLE I—GENERAL REQUIREMENTS FOR LEAVE

Sec. 101. Definitions.

Sec. 102. Leave requirement.

Sec. 103. Certification.

Sec. 104. Employment and benefits protection.

Sec. 105. Prohibited acts.

Sec. 106. Investigative authority.

Sec. 107. Enforcement.

Sec. 108. Special rules concerning employees of local educational agencies.

Sec. 109. Notice.

Sec. 110. Regulations.

##### TITLE II—LEAVE FOR CIVIL SERVICE EMPLOYEES

Sec. 201. Leave requirement.

##### TITLE III—COMMISSION ON LEAVE

Sec. 301. Establishment.

Sec. 302. Duties.

Sec. 303. Membership.

Sec. 304. Compensation.

Sec. 305. Powers.

Sec. 306. Termination.

##### TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Effect on other laws.

Sec. 402. Effect on existing employment benefits.

Sec. 403. Encouragement of more generous leave policies.

Sec. 404. Regulations.

Sec. 405. Effective dates.

##### TITLE V—COVERAGE OF CONGRESSIONAL EMPLOYEES

Sec. 501. Coverage of the Senate.

Sec. 502. Leave for certain congressional employees.

##### SEC. 2. FINDINGS AND PURPOSES.

(a) *FINDINGS*.—Congress finds that—

(1) the number of single-parent households and two-parent households in which the single parent or both parents work is increasing significantly;

(2) it is important for the development of children and the family unit that fathers and mothers be able to participate in early childrearing and the care of family members who have serious health conditions;

(3) the lack of employment policies to accommodate working parents can force individuals to choose between job security and parenting;

(4) there is inadequate job security for employees who have serious health conditions that prevent them from working for temporary periods;

(5) due to the nature of the roles of men and women in our society, the primary responsibility for family caretaking often falls on women, and such responsibility affects the working lives of women more than it affects the working lives of men; and

(6) employment standards that apply to one gender only have serious potential for encouraging employers to discriminate against employees and applicants for employment who are of that gender.

(b) *PURPOSES*.—It is the purpose of this Act—

(1) to balance the demands of the workplace with the needs of families, to promote the stability and economic security of families, and to promote national interests in preserving family integrity;

(2) to entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child, and for the care of a child, spouse, or parent who has a serious health condition;

(3) to accomplish the purposes described in paragraphs (1) and (2) in a manner that accommodates the legitimate interests of employers;

(4) to accomplish the purposes described in paragraphs (1) and (2) in a manner that, consistent with the Equal Protection Clause of the Fourteenth Amendment, minimizes the potential for employment discrimination on the basis of sex by ensuring generally that leave is available for eligible medical reasons (including maternity-related disability) and for compelling family reasons, on a gender-neutral basis; and

(5) to promote the goal of equal employment opportunity for women and men, pursuant to such clause.

##### TITLE I—GENERAL REQUIREMENTS FOR LEAVE

##### SEC. 101. DEFINITIONS.

As used in this title:

(1) *COMMERCE*.—The terms "commerce" and "industry or activity affecting commerce" mean any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and include "commerce" and any "industry affecting commerce", as defined in paragraphs (3) and (1) respectively, of section 120 of the Labor

Management Relations Act, 1947 (29 U.S.C. 142 (3) and (1)).

(2) **ELIGIBLE EMPLOYEE.**—

(A) **IN GENERAL.**—The term "eligible employee" means any "employee", as defined in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)), who has been employed—

(i) for at least 12 months by the employer with respect to whom leave is sought under section 102; and

(ii) for at least 1,250 hours of service with such employer during the previous 12-month period.

(B) **EXCLUSIONS.**—The term "eligible employee" does not include—

(i) any Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code (as added by title II of this Act); or

(ii) any employee of an employer who is employed at a worksite at which such employer employs less than 50 employees or if the total number of employees employed by that employer within 75 miles of that worksite is less than 50.

(C) **DETERMINATION.**—For purposes of determining whether an employee meets the hours of service requirement specified in subparagraph (A)(ii), the legal standards established under section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) shall apply.

(3) **EMPLOY, STATE.**—The terms "employ" and "State" have the same meanings given such terms in subsections (g) and (c), respectively, of section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203 (g) and (c)).

(4) **EMPLOYEE.**—The term "employee" means any individual employed by an employer.

(5) **EMPLOYER.**—

(A) **IN GENERAL.**—The term "employer"—

(i) means any person engaged in commerce or in any industry or activity affecting commerce who employs 50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year;

(ii) includes—

(I) any person who acts, directly or indirectly, in the interest of an employer to any of the employees of such employer; and

(II) any successor in interest of an employer; and

(iii) includes any "public agency", as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)).

(B) **PUBLIC AGENCY.**—For purposes of subparagraph (A)(iii), a public agency shall be considered to be a person engaged in commerce or in an industry or activity affecting commerce.

(6) **EMPLOYMENT BENEFITS.**—The term "employment benefits" means all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan", as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)).

(7) **HEALTH CARE PROVIDER.**—The term "health care provider" means—

(A) a doctor of medicine or osteopathy that is legally authorized to practice medicine or surgery by the State in which the doctor performs such function or action; or

(B) any other person determined by the Secretary to be capable of providing health care services.

(8) **PARENT.**—The term "parent" means the biological parent of the child or an individual who stood in loco parentis to a child when the child was a son or daughter.

(9) **PERSON.**—The term "person" has the same meaning given such term in section 3(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(a)).

(10) **REDUCED LEAVE SCHEDULE.**—The term "reduced leave schedule" means leave that reduces the usual number of hours per workweek, or hours per workday, of an employee.

(11) **SECRETARY.**—The term "Secretary" means the Secretary of Labor.

(12) **SERIOUS HEALTH CONDITION.**—The term "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves—

(A) inpatient care in a hospital, hospice, or residential medical care facility; or

(B) continuing treatment by a health care provider.

(13) **SON OR DAUGHTER.**—The term "son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is—

(A) under 18 years of age; or

(B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

**SEC. 102. LEAVE REQUIREMENT.**

(a) **IN GENERAL.**—

(1) **ENTITLEMENT TO LEAVE.**—Subject to section 103, an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period—

(A) because of the birth of a son or daughter of the employee and in order to care for such son or daughter;

(B) because of the placement of a son or daughter with the employee for adoption or foster care;

(C) in order to care for a son, daughter, spouse, or parent of the employee who has a serious health condition; or

(D) because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.

(2) **EXPIRATION OF ENTITLEMENT.**—The entitlement to leave under subparagraphs (A) and (B) of paragraph (1) for a birth or placement of a son or daughter shall expire at the end of the 12-month period beginning on the date of such birth or placement.

(3) **INTERMITTENT LEAVE.**—

(A) **IN GENERAL.**—Leave under subparagraph (A) or (B) of paragraph (1) shall not be taken by an employee intermittently unless the employee and the employer of the employee agree otherwise. Subject to subparagraph (B), subsection (e), and section 103(b)(5), leave under subparagraph (C) or (D) of paragraph (1) may be taken intermittently when medically necessary.

(B) **ALTERNATIVE POSITION.**—If an employee seeks intermittent leave under subparagraph (C) or (D) of paragraph (1) that is foreseeable based on planned medical treatment, the employer may require such employee to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified and that—

(i) has equivalent pay and benefits; and

(ii) better accommodates recurring periods of leave than the regular employment position of the employee.

(b) **REDUCED LEAVE.**—On agreement between the employer and the employee, leave under subsection (a) may be taken on a reduced leave schedule. Such reduced leave schedule shall not result in a reduction in the total amount of leave to which such employee is entitled under subsection (a).

(c) **UNPAID LEAVE PERMITTED.**—Except as provided in subsection (d), leave granted under subsection (a) may consist of unpaid leave.

(d) **RELATIONSHIP TO PAID LEAVE.**—

(1) **UNPAID LEAVE.**—If an employer provides paid leave for fewer than 12 workweeks, the additional weeks of leave necessary to attain the 12 workweeks of leave required under this title may be provided without compensation.

(2) **SUBSTITUTION OF PAID LEAVE.**—

(A) **IN GENERAL.**—An eligible employee may elect, or an employer may require the employee, to substitute any of the accrued paid vacation leave, personal leave, or family leave of the employee for leave provided under subparagraph (A), (B), or (C) of subsection (a)(1) for any part of the 12-week period of such leave under such subsection.

(B) **SERIOUS HEALTH CONDITION.**—An eligible employee may elect, or an employer may require the employee, to substitute any of the accrued paid vacation leave, personal leave, or medical or sick leave of the employee for leave provided under subparagraph (C) or (D) of subsection (a)(1) for any part of the 12-week period of such leave under such subsection, except that nothing in this Act shall require an employer to provide paid sick leave or paid medical leave in any situation in which such employer would not normally provide any such paid leave.

(e) **FORESEEABLE LEAVE.**—

(1) **REQUIREMENT OF NOTICE.**—In any case in which the necessity for leave under subparagraph (A) or (B) of subsection (a)(1) is foreseeable based on an expected birth or adoption, the eligible employee shall provide the employer with not less than 30 days notice of the intention to take leave under such subparagraph, subject to the actual date of the birth or adoption for which the leave is to be taken.

(2) **DUTIES OF EMPLOYEE.**—In any case in which the necessity for leave under subparagraph (C) or (D) of subsection (a)(1) is foreseeable based on planned medical treatment, the employee—

(A) shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer, subject to the approval of the health care provider of the employee or the health care provider of the son, daughter, spouse, or parent of the employee; and

(B) shall provide the employer with not less than 30 days notice of the intention to take leave under such subparagraph, subject to the actual date of the treatment for which the leave is to be taken.

(f) **SPOUSES EMPLOYED BY THE SAME EMPLOYER.**—In any case in which a husband and wife entitled to leave under subsection (a) are employed by the same employer, the aggregate number of workweeks of leave to which both may be entitled may be limited to 12 workweeks during any 12-month period, if such leave is taken—

(1) under subparagraph (A) or (B) of subsection (a)(1); or

(2) to care for a sick parent under subparagraph (C) of such subsection.

**SEC. 103. CERTIFICATION.**

(a) **IN GENERAL.**—An employer may require that a claim for leave under subparagraph (C) or (D) of section 102(a)(1) be supported by a certification issued by the health care provider of the eligible employee or of the son, daughter, spouse, or parent of the employee, as appropriate. The employee shall provide, in a timely manner, a copy of such certification to the employer.

(b) **SUFFICIENT CERTIFICATION.**—Certification provided under subsection (a) shall be sufficient if it states—

(1) the date on which the serious health condition commenced;

(2) the probable duration of the condition;

(3) the appropriate medical facts within the knowledge of the health care provider regarding the condition;

(4)(A) for purposes of leave under section 102(a)(1)(C), a statement that the eligible employee is needed to care for the son, daughter, spouse, or parent and an estimate of the amount of time that such employee is needed to care for the son, daughter, spouse, or parent; and

(B) for purposes of leave under section 102(a)(1)(D), a statement that the employee is unable to perform the functions of the position of the employee; and

(5) in the case of certification for intermittent leave for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment.

(c) SECOND OPINION.—

(1) IN GENERAL.—In any case in which the employer has reason to doubt the validity of the certification provided under subsection (a) for leave under subparagraph (C) or (D) of section 102(a)(1), the employer may require, at the expense of the employer, that the eligible employee obtain the opinion of a second health care provider designated or approved by the employer concerning any information certified under subsection (b) for such leave.

(2) LIMITATION.—A health care provider designated or approved under paragraph (1) shall not be employed on a regular basis by the employer.

(d) RESOLUTION OF CONFLICTING OPINIONS.—

(1) IN GENERAL.—In any case in which the second opinion described in subsection (c) differs from the opinion in the original certification provided under subsection (a), the employer may require, at the expense of the employer, that the employee obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee concerning the information certified under subsection (b).

(2) FINALITY.—The opinion of the third health care provider concerning the information certified under subsection (b) shall be considered to be final and shall be binding on the employer and the employee.

(e) SUBSEQUENT RECERTIFICATION.—The employer may require that the eligible employee obtain subsequent recertifications on a reasonable basis.

**SEC. 104. EMPLOYMENT AND BENEFITS PROTECTION.**

(a) RESTORATION TO POSITION.—

(1) IN GENERAL.—Any eligible employee who takes leave under section 102 for the intended purpose of the leave shall be entitled, on return from such leave—

(A) to be restored by the employer to the position of employment held by the employee when the leave commenced; or

(B) to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

(2) LOSS OF BENEFITS.—The taking of leave under section 102 shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

(3) LIMITATIONS.—Nothing in this section shall be construed to entitle any restored employee to—

(A) the accrual of any seniority or employment benefits during any period of leave; or

(B) any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

(4) CERTIFICATION.—As a condition of restoration under paragraph (1), the employer may have a uniformly applied practice or policy that requires each employee to receive certification from the health care provider of the employee that the employee is able to resume work, except that nothing in this paragraph shall supersede a valid State or local law or a collective bargaining agreement that governs the return to work of employees taking leave under section 102(a)(1)(D).

(5) CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit an employer from requiring an employee on leave under section 102 to periodically report to the

employer on the status and intention of the employee to return to work.

(b) EXEMPTION CONCERNING CERTAIN HIGHLY COMPENSATED EMPLOYEES.—

(1) DENIAL OF RESTORATION.—An employer may deny restoration under subsection (a) to any eligible employee described in paragraph (2) if—

(A) such denial is necessary to prevent substantial and grievous economic injury to the operations of the employer;

(B) the employer notifies the employee of the intent of the employer to deny restoration on such basis at the time the employer determines that such injury would occur; and

(C) in any case in which the leave has commenced, the employee elects not to return to employment after receiving such notice.

(2) AFFECTED EMPLOYEES.—An eligible employee described in paragraph (1) is a salaried eligible employee who is among the highest paid 10 percent of the employees employed by the employer within 75 miles of the facility at which the employee is employed.

(c) MAINTENANCE OF HEALTH BENEFITS.—

(1) COVERAGE.—Except as provided in paragraph (2), during any period that an eligible employee takes leave under section 102, the employer shall maintain coverage under any "group health plan" (as defined in section 5000(b)(1) of the Internal Revenue Code of 1986) for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously from the date the employee commenced the leave until the date the employee is restored under subsection (a).

(2) FAILURE TO RETURN FROM LEAVE.—The employer may recover the premium that the employer paid for maintaining coverage for the employee under such group health plan during any period of unpaid leave under section 102 if—

(A) the employee fails to return from leave under section 102 after the period of leave to which the employee is entitled has expired; and

(B) the employee fails to return to work for a reason other than—

(i) the continuation, recurrence, or onset of a serious health condition that entitles the employee to leave under subparagraph (C) or (D) of section 102(a)(1); or

(ii) other circumstances beyond the control of the employee.

(3) CERTIFICATION.—

(A) ISSUANCE.—An employer may require that a claim that an employee is unable to return to work because of the continuation, recurrence, or onset of the serious health condition described in paragraph (2)(B)(i) be supported by—

(i) a certification issued by the health care provider of the eligible employee, in the case of an employee unable to return to work because of a condition specified in section 102(a)(1)(D); or

(ii) a certification issued by the health care provider of the son, daughter, spouse, or parent of the employee in the case of an employee unable to return to work because of a condition specified in section 102(a)(1)(C).

(B) COPY.—The employee shall provide, in a timely manner, a copy of such certification to the employer.

(C) SUFFICIENCY OF CERTIFICATION.—

(i) LEAVE DUE TO SERIOUS HEALTH CONDITION OF EMPLOYEE.—The certification described in subparagraph (A)(i) shall be sufficient if the certification states that a serious health condition prevented the employee from being able to perform the functions of the position of the employee on the date that the leave of the employee expired.

(ii) LEAVE DUE TO SERIOUS HEALTH CONDITION OF FAMILY MEMBER.—The certification described in subparagraph (A)(ii) shall be sufficient if the

certification states that the employee is needed to care for the son, daughter, spouse, or parent who has a serious health condition on the date that the leave of the employee expired.

**SEC. 105. PROHIBITED ACTS.**

(a) INTERFERENCE WITH RIGHTS.—

(1) EXERCISE OF RIGHTS.—It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise, any right provided under this title.

(2) DISCRIMINATION.—It shall be unlawful for any employer to discharge or in any other manner discriminate against any individual for opposing any practice made unlawful by this title.

(b) INTERFERENCE WITH PROCEEDINGS OR INQUIRIES.—It shall be unlawful for any person to discharge or in any other manner discriminate against any individual because such individual—

(1) has filed any charge, or has instituted or caused to be instituted any proceeding, under or related to this title;

(2) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this title; or

(3) has testified, or is about to testify in any inquiry or proceeding relating to any right provided under this title.

**SEC. 106. INVESTIGATIVE AUTHORITY.**

(a) IN GENERAL.—To ensure compliance with the provisions of this title, or any regulation or order issued under this title, the Secretary shall have, subject to subsection (c), the investigative authority provided under section 11(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(a)).

(b) OBLIGATION TO KEEP AND PRESERVE RECORDS.—Any employer shall keep and preserve records in accordance with section 11(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(c)) and in accordance with regulations issued by the Secretary.

(c) REQUIRED SUBMISSIONS GENERALLY LIMITED TO AN ANNUAL BASIS.—The Secretary shall not under the authority of this section require any employer or any plan, fund, or program to submit to the Secretary any books or records more than once during any 12-month period, unless the Secretary has reasonable cause to believe there may exist a violation of this title or any regulation or order issued pursuant to this title, or is investigating a charge pursuant to section 107(b).

(d) SUBPOENA POWERS.—For the purposes of any investigation provided for in this section, the Secretary shall have the subpoena authority provided for under section 9 of the Fair Labor Standards Act of 1938 (29 U.S.C. 209).

**SEC. 107. ENFORCEMENT.**

(a) CIVIL ACTION BY EMPLOYEES.—

(1) LIABILITY.—Any employer who violates section 105 shall be liable to any eligible employee affected—

(A) for damages equal to—

(i) the amount of—

(I) any wages, salary, employment benefits, or other compensation denied or lost to such employee by reason of the violation; or

(II) in a case in which wages, salary, employment benefits, or other compensation have not been denied or lost to the employee, any actual monetary losses sustained by the employee as a direct result of the violation, such as the cost of providing care, up to a sum equal to 12 weeks of wages or salary for the employee;

(ii) the interest on the amount described in clause (i) calculated at the prevailing rate; and

(iii) an additional amount as liquidated damages equal to the sum of the amount described in clause (i) and the interest described in clause (ii), except that if an employer who has violated section 105 proves to the satisfaction of the court that the act or omission which violated section

105 was in good faith and that the employer had reasonable grounds for believing that the act or omission was not a violation of section 105, such court may, in the discretion of the court, reduce the amount of the liability to the amount and interest determined under clauses (i) and (ii), respectively; and

(B) for such equitable relief as may be appropriate, including, without limitation, employment, reinstatement, and promotion.

(2) **STANDING.**—An action to recover the damages or equitable relief prescribed in paragraph (1) may be maintained against any employer (including a public agency) in any Federal or State court of competent jurisdiction by any one or more employees for and in behalf of—

(A) the employees; or

(B) the employees and other employees similarly situated.

(3) **FEES AND COSTS.**—The court in such an action shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(4) **LIMITATIONS.**—The right provided by paragraph (1) to bring an action by or on behalf of any employee shall terminate, unless such action is dismissed without prejudice on motion of the Secretary, on—

(A) the filing of a complaint by the Secretary of Labor in an action under subsection (d) in which—

(i) restraint is sought of any further delay in the payment of the damages described in paragraph (1)(A) to such employee by an employer liable under paragraph (1) for the damages; or

(ii) equitable relief is sought as a result of alleged violations of section 105; or

(B) the filing of a complaint by the Secretary in an action under subsection (b) in which a recovery is sought of the damages described in paragraph (1)(A) owing to an eligible employee by an employer liable under paragraph (1).

(b) **ACTION BY THE SECRETARY.**—

(1) **ADMINISTRATIVE ACTION.**—The Secretary shall receive, investigate, and attempt to resolve complaints of violations of section 105 in the same manner that the Secretary receives, investigates, and attempts to resolve complaints of violations of sections 6 and 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207).

(2) **CIVIL ACTION.**—The Secretary may bring an action in any court of competent jurisdiction to recover on behalf of an eligible employee the damages described in subsection (a)(1)(A).

(3) **SUMS RECOVERED.**—Any sums recovered by the Secretary on behalf of an employee pursuant to paragraph (2) shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to each employee affected. Any such sums not paid to any employee because of inability to do so within a period of 3 years shall be deposited into the Treasury of the United States as miscellaneous receipts.

(c) **LIMITATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), an action may be brought under subsection (a) or (b) not later than 2 years after the date of the last event constituting the alleged violation for which the action is brought.

(2) **WILLFUL VIOLATION.**—In the case of such action brought for a willful violation of section 105, such action may be brought within 3 years of the date of the last event constituting the alleged violation for which such action is brought.

(3) **COMMENCEMENT.**—In determining when an action is commenced by the Secretary under subsection (b) for the purposes of this subsection, it shall be considered to be commenced on the date when the complaint is filed.

(d) **ACTION FOR INJUNCTION BY SECRETARY.**—The district courts of the United States shall have jurisdiction, for cause shown, over an action brought by the Secretary to restrain viola-

tions of section 105, including actions to restrain the withholding of payment of wages, salary, employment benefits, or other compensation, plus interest, found by the court to be due to eligible employees.

#### SEC. 108. SPECIAL RULES CONCERNING EMPLOYEES OF LOCAL EDUCATIONAL AGENCIES.

(a) **APPLICATION.**—

(1) **IN GENERAL.**—Except as otherwise provided in this section, the rights (including the rights under section 104, which shall extend throughout the period of leave of any employee under this section), remedies, and procedures under this Act shall apply to—

(A) any "local educational agency" (as defined in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12))) and an eligible employee of the agency; and

(B) any private elementary and secondary school and an eligible employee of the school.

(2) **DEFINITIONS.**—For purposes of the application described in paragraph (1):

(A) **ELIGIBLE EMPLOYEE.**—The term "eligible employee" means an eligible employee of an agency or school described in paragraph (1); and

(B) **EMPLOYER.**—The term "employer" means an agency or school described in paragraph (1).

(b) **LEAVE DOES NOT VIOLATE CERTAIN OTHER FEDERAL LAWS.**—A local educational agency and a private elementary and secondary school shall not be in violation of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), or title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), solely as a result of an eligible employee of such agency or school exercising the rights of such employee under this Act.

(c) **INTERMITTENT LEAVE FOR INSTRUCTIONAL EMPLOYEES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), in any case in which an eligible employee employed principally in an instructional capacity by any such educational agency or school seeks to take leave under subparagraph (C) or (D) of section 102(a)(1) that is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the agency or school may require that such employee elect either—

(A) to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or

(B) to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified, and that—

(i) has equivalent pay and benefits; and

(ii) better accommodates recurring periods of leave than the regular employment position of the employee.

(2) **APPLICATION.**—The elections described in subparagraphs (A) and (B) of paragraph (1) shall apply only with respect to an eligible employee who complies with section 102(e)(2).

(d) **RULES APPLICABLE TO PERIODS NEAR THE CONCLUSION OF AN ACADEMIC TERM.**—The following rules shall apply with respect to periods of leave near the conclusion of an academic term in the case of any eligible employee employed principally in an instructional capacity by any such educational agency or school:

(1) **LEAVE MORE THAN 5 WEEKS PRIOR TO END OF TERM.**—If the eligible employee begins leave under section 102 more than 5 weeks prior to the end of the academic term, the agency or school may require the employee to continue taking leave until the end of such term, if—

(A) the leave is of at least 3 weeks duration; and

(B) the return to employment would occur during the 3-week period before the end of such term.

(2) **LEAVE LESS THAN 5 WEEKS PRIOR TO END OF TERM.**—If the eligible employee begins leave under subparagraph (A), (B), or (C) of section 102(a)(1) during the period that commences 5 weeks prior to the end of the academic term, the agency or school may require the employee to continue taking leave until the end of such term, if—

(A) the leave is of greater than 2 weeks duration; and

(B) the return to employment would occur during the 2-week period before the end of such term.

(3) **LEAVE LESS THAN 3 WEEKS PRIOR TO END OF TERM.**—If the eligible employee begins leave under paragraph (A), (B), or (C) of section 102(a)(1) during the period that commences 3 weeks prior to the end of the academic term and the duration of the leave is greater than 5 working days, the agency or school may require the employee to continue to take leave until the end of such term.

(e) **RESTORATION TO EQUIVALENT EMPLOYMENT POSITION.**—For purposes of determinations under section 104(a)(1)(B) (relating to the restoration of an eligible employee to an equivalent position), in the case of a local educational agency or a private elementary and secondary school, such determination shall be made on the basis of established school board policies and practices, private school policies and practices, and collective bargaining agreements.

(f) **REDUCTION OF THE AMOUNT OF LIABILITY.**—If a local educational agency or a private elementary and secondary school that has violated title I proves to the satisfaction of the administrative law judge or the court that the agency, school, or department had reasonable grounds for believing that the underlying act or omission was not a violation of such title, such judge or court may, in the discretion of the judge or court, reduce the amount of the liability provided for under section 107(a)(1)(A) to the amount and interest determined under clauses (i) and (ii), respectively, of such section.

#### SEC. 109. NOTICE.

(a) **IN GENERAL.**—Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees and applicants for employment are customarily posted, a notice, to be prepared or approved by the Secretary, setting forth excerpts from, or summaries of, the pertinent provisions of this title and information pertaining to the filing of a charge.

(b) **PENALTY.**—Any employer that willfully violates this section shall be assessed a civil money penalty not to exceed \$100 for each separate offense.

#### SEC. 110. REGULATIONS.

Not later than 60 days after the date of enactment of this title, the Secretary shall prescribe such regulations as are necessary to carry out this title.

### TITLE II—LEAVE FOR CIVIL SERVICE EMPLOYEES

#### SEC. 201. LEAVE REQUIREMENT.

(a) **CIVIL SERVICE EMPLOYEES.**—

(1) **IN GENERAL.**—Chapter 63 of title 5, United States Code, is amended by adding at the end thereof the following new subchapter:

#### "SUBCHAPTER V—FAMILY AND MEDICAL LEAVE

##### "§6381. Definitions.

"For the purpose of this subchapter—

"(1) the term 'employee' means—

"(A) an employee as defined by section 6301(2) (excluding an individual employed by the Government of the District of Columbia); and

"(B) an individual described in clause (v) or (ix) of such section;

who has been employed for at least 12 months on other than a temporary or intermittent basis;

"(2) the term 'health care provider' means—

"(A) a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; and

"(B) any other person determined by the Director of the Office of Personnel Management to be capable of providing health care services;

"(3) the term 'parent' means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was—

"(A) under 18 years of age; or

"(B) 18 years of age or older and incapable of self-care because of a mental or physical disability;

"(4) the term 'reduced leave schedule' means leave that reduces the usual number of hours per workweek, or hours per workday, of an employee;

"(5) the term 'serious health condition' means a disabling illness, injury, impairment, or physical or mental condition that involves—

"(A) inpatient care in a hospital, hospice, or residential medical care facility; or

"(B) continuing treatment by a health care provider; and

"(6) the term 'son or daughter' means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is—

"(A) under 18 years of age; or

"(B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

#### "§6382. Leave requirement

"(a)(1) An employee shall be entitled, subject to section 6383, to a total of 12 administrative workweeks of leave during any 12-month period—

"(A) because of the birth of a son or daughter of the employee and in order to care for such son or daughter;

"(B) because of the placement of a son or daughter with the employee for adoption or foster care;

"(C) in order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition; or

"(D) because of a serious health condition that makes the employee unable to perform the functions of the employee's position.

"(2) The entitlement to leave under subparagraph (A) or (B) of paragraph (1) based on the birth or placement of a son or daughter shall expire at the end of the 12-month period beginning on the date of such birth or placement.

"(3)(A) Leave under subparagraph (A) or (B) of paragraph (1) shall not be taken by an employee intermittently unless the employee and the employing agency of the employee agree otherwise. Subject to subparagraph (B), subsection (e), and section 6383(b)(5), leave under subparagraph (C) or (D) of paragraph (1) may be taken intermittently when medically necessary.

"(B) If an employee requests intermittent leave under subparagraph (C) or (D) of paragraph (1) that is foreseeable based on planned medical treatment, the employing agency may require such employee to transfer temporarily to an available alternative position offered by the employing agency for which the employee is qualified and that—

"(i) has equivalent pay and benefits; and

"(ii) better accommodates recurring periods of leave than the regular position of the employee.

"(b) On agreement between the employing agency and the employee, leave under subsection (a) may be taken on a reduced leave schedule. In the case of an employee on a reduced leave schedule, any hours of leave taken

by such employee under such schedule shall be subtracted from the total amount of leave remaining available to such employee under subsection (a), for purposes of the 12-month period involved, on an hour-for-hour basis.

"(c) Except as provided in subsection (d), leave granted under subsection (a) shall be leave without pay.

"(d) An employee may elect to substitute for leave under subparagraph (A), (B), (C), or (D) of subsection (a)(1) any of the employee's accrued or accumulated annual or sick leave under subchapter 1 for any part of the 12-week period of leave under such subparagraph, except that nothing in this subchapter shall require an employing agency to provide paid sick leave in any situation in which such employing agency would not normally provide any such paid leave.

"(e)(1) In any case in which the necessity for leave under subparagraph (A) and (B) of subsection (a)(1) is foreseeable based on an expected birth or placement, the employee shall provide the employing agency with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave under such subparagraph, except that if the date of the birth or adoption requires a change in the date the leave is to begin and makes the notice less than 30 days, the employee shall provide such notice as is practicable.

"(2) In any case in which the necessity for leave under subparagraph (C) or (D) of subsection (a)(1) is foreseeable based on any planned medical treatment, the employee—

"(A) shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employing agency, subject to the approval of the health care provider of the employee or the health care provider of the son, daughter, spouse, or parent of the employee; and

"(B) shall provide the employing agency with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave under such subparagraph, except that if the date of the treatment requires a change in the date the leave is to begin and makes the notice less than 30 days, the employee shall provide such notice as is practicable.

#### "§6383. Certification

"(a) An employing agency may require that a request for leave under subparagraph (C) or (D) of section 6382(a)(1) be supported by certification issued by the health care provider of the employee or of the son, daughter, spouse, or parent of the employee, as appropriate. The employee shall provide, in a timely manner, a copy of such certification to the employing agency.

"(b) A certification provided under subsection (a) shall be sufficient if it states—

"(1) the date on which the serious health condition commenced;

"(2) the probable duration of the condition;

"(3) the appropriate medical facts within the knowledge of the health care provider regarding the condition;

"(4)(A) for purposes of leave under section 6382(a)(1)(C), a statement that the employee is needed to care for the son, daughter, spouse, or parent, and an estimate of the amount of time that such employee is needed to care for such son, daughter, spouse, or parent; and

"(B) for purposes of leave under section 6382(a)(1)(D), a statement that the employee is unable to perform the functions of the employee's position; and

"(5) in the case of certification for intermittent leave for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment.

"(c)(1) In any case in which the employing agency has reason to doubt the validity of the certification provided under subsection (a) for

leave under subparagraph (C) or (D) of section 6382(a)(1), the employing agency may require, at the expense of the agency, that the employee obtain the opinion of a second health care provider designated or approved by the employing agency concerning any information certified under subsection (b) for such leave.

"(2) Any health care provider designated or approved under paragraph (1) shall not be employed on a regular basis by the employing agency.

"(d)(1) In any case in which the second opinion described in subsection (c) differs from the original certification provided under subsection (a), the employing agency may require, at the expense of the agency, that the employee obtain the opinion of a third health care provider designated or approved jointly by the employing agency and the employee concerning the information certified under subsection (b).

"(2) The opinion of the third health care provider concerning the information certified under subsection (b) shall be considered to be final and shall be binding on the employing agency and the employee.

"(e) The employing agency may require, at the expense of the agency, that the employee obtain subsequent recertifications on a reasonable basis.

#### "§6384. Employment and benefits protection

"(a) Any employee who takes leave under section 6382 for the intended purpose of the leave shall be entitled, upon return from such leave—

"(1) to be restored by the employing agency to the position held by the employee when the leave commenced; or

"(2) to be restored to a position with equivalent benefits, pay, status, and other terms and conditions of employment.

"(b) The taking of leave under section 6382 shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

"(c) Except as otherwise provided by or under law, nothing in this section shall be construed to entitle any restored employee to—

"(1) the accrual of any seniority or employment benefits during any period of leave; or

"(2) any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

"(d) As a condition to restoration under subsection (a), the employing agency may have a uniformly applied practice or policy that requires each employee to receive certification from the health care provider, of the employee that the employee is able to resume work.

"(e) Nothing in this section shall be construed to prohibit an employing agency from requiring an employee on leave under section 6382 to report periodically to the employing agency on the status and intention of the employee to return to work.

#### "§6385. Prohibition of coercion

"(a) An employee shall not directly or indirectly intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with the exercise of the rights of the employee under this subchapter.

"(b) For the purpose of this section, 'intimidate, threaten, or coerce' includes promising to confer or conferring any benefit (such as appointment, promotion, or compensation), or taking or threatening to take any reprisal (such as deprivation of appointment, promotion, or compensation).

#### "§6386. Health insurance

"An employee enrolled in a health benefits plan under chapter 89 who I placed in a leave-without-pay status under section 6382 may elect to continue the health benefits enrollment of the

employee while in such leave status and arrange to pay currently into the Employees Health Benefits Fund (described in section 8909), the appropriate employee contributions.

#### "§6387. Regulations

"The Office of Personnel Management shall prescribe regulations necessary for the administration of this subchapter. The regulations prescribed under this subchapter shall be consistent with the regulations prescribed by the Secretary of Labor under title I of the Family and Medical Leave Act of 1991."

(2) TABLE OF CONTENTS.—The table of contents for chapter 63 of title 5, United States Code, is amended by adding at the end thereof the following:

#### "SUBCHAPTER V—FAMILY AND MEDICAL LEAVE

"6381. Definitions.

"6382. Leave requirement.

"6383. Certification.

"6384. Employment and benefits protection.

"6385. Prohibition of coercion.

"6386. Health insurance.

"6387. Regulations."

(b) EMPLOYEES PAID FROM NONAPPROPRIATED FUNDS.—Section 2105(c)(1) of title 5, United States Code, is amended—

(1) by striking "or" at the end of subparagraph (C); and

(2) by adding to the end thereof the following new subparagraph:

"(E) subchapter V of chapter 63, which shall be applied so as to construe references to benefit programs to refer to applicable programs for employees paid from nonappropriated funds; or".

#### TITLE III—COMMISSION ON LEAVE

##### SEC. 301. ESTABLISHMENT.

There is established a commission to be known as the Commission on Leave (hereinafter referred to in this title as the "Commission").

##### SEC. 302. DUTIES.

The Commission shall—

(1) conduct a comprehensive study of—

(A) existing and proposed policies relating to leave;

(B) the potential costs, benefits, and impact on productivity of such policies on employers; and

(C) alternative and equivalent State enforcement of this Act with respect to employees described in section 108(a); and

(2) not later than 2 years after the date on which the Commission first meets, prepare and submit, to the appropriate Committees of Congress, a report concerning the subjects listed in paragraph (1).

##### SEC. 303. MEMBERSHIP.

(a) COMPOSITION.—

(1) APPOINTMENTS.—The Commission shall be composed of 12 voting members and 2 ex officio members to be appointed not later than 60 days after the date of the enactment of this Act as follows:

(A) SENATORS.—One Senator shall be appointed by the Majority Leader of the Senate, and one Senator shall be appointed by the Minority leader of the Senate.

(B) MEMBERS OF HOUSE OF REPRESENTATIVES.—One Member of the House of Representatives shall be appointed by the Speaker of the House of Representatives, and one Member of the House of Representatives shall be appointed by the Minority Leader of the House of Representatives.

(C) ADDITIONAL MEMBERS.—

(i) APPOINTMENT.—Two Members each shall be appointed by—

(I) the Speaker of the House of Representatives;

(II) the Majority Leader of the Senate;

(III) the Minority Leader of the House of Representatives; and

(IV) the Minority Leader of the Senate.

(ii) EXPERTISE.—Such members shall be appointed by virtue of demonstrated expertise in relevant family, temporary disability, and labor-management issues and shall include representatives of employers.

(2) EX OFFICIO MEMBERS.—The Secretary of Health and Human Services and the Secretary of Labor shall serve on the Commission as non-voting ex officio members.

(b) VACANCIES.—Any vacancy on the Commission shall be filled in the manner in which the original appointment was made. The vacancy shall not affect the power of the remaining members to execute the duties of the Commission.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The Commission shall elect a chairperson and a vice chairperson from among the members of the Commission.

(d) QUORUM.—Eight members of the Commission shall constitute a quorum for all purposes, except that a lesser number may constitute a quorum for the purpose of holding hearings.

##### SEC. 304. COMPENSATION.

(a) PAY.—Members of the Commission shall serve without compensation.

(b) TRAVEL EXPENSES.—Members of the Commission shall be allowed reasonable travel expenses, including a per diem allowance, in accordance with section 5703 of title 5, United States Code, when performing duties of the Commission.

##### SEC. 305. POWERS.

(a) MEETINGS.—The Commission shall first meet not later than 30 days after the date on which all members are appointed, and the Commission shall meet thereafter on the call of the chairperson or a majority of the members.

(b) HEARINGS AND SESSIONS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(c) ACCESS TO INFORMATION.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out this Act, if the information may be disclosed under section 552 of title 5, United States Code. Subject to the previous sentence, on the request of the chairperson or vice chairperson of the Commission, the head of such agency shall furnish such information to the Commission.

(d) EXECUTIVE DIRECTOR.—The Commission may appoint an Executive Director from the personnel of any Federal agency to assist the Commission in carrying out the duties of the Commission. Any appointment shall not interrupt or otherwise affect the civil service status or privileges of the employee appointed.

(e) USE OF FACILITIES AND SERVICES.—Upon the request of the Commission, the head of any Federal agency may make available to the Commission any of the facilities and services of such agency.

(f) PERSONNEL FROM OTHER AGENCIES.—On the request of the Commission, the head of any Federal agency may detail any of the personnel of such agency to assist the Commission in carrying out the duties of the Commission. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(g) VOLUNTARY SERVICE.—Notwithstanding section 1342 of title 31, United States Code, the chairperson of the Commission may accept for the Commission voluntary services provided by a member of the Commission.

##### SEC. 306. TERMINATION.

The Commission shall terminate 30 days after the date of the submission of the report of the Commission to Congress.

#### TITLE IV—MISCELLANEOUS PROVISIONS

##### SEC. 401. EFFECT ON OTHER LAWS.

(a) FEDERAL AND STATE ANTI-DISCRIMINATION LAWS.—Nothing in this Act or any amendment made by this Act shall be construed to modify or affect any Federal or State law prohibiting discrimination on the basis of race, religion, color, national origin, sex, age, or disability.

(b) STATE AND LOCAL LAWS.—Nothing in this Act or any amendment made by this Act shall be construed to supersede any provision of any State and local law that provides greater employee leave rights than the rights established under this Act or any amendment made by this Act.

##### SEC. 402. EFFECT ON EXISTING EMPLOYMENT BENEFITS.

(a) MORE PROTECTIVE.—Nothing in this Act or any amendment made by this Act shall be construed to diminish the obligation of an employer to comply with any collective bargaining agreement or any employment benefit program or plan that provides greater family and medical leave rights to employees than the rights provided under this Act or any amendment made by this Act.

(b) LESS PROTECTIVE.—The rights provided to employees under this Act or any amendment made by this Act shall not be diminished by any collective bargaining agreement or any employment benefit program or plan.

##### SEC. 403. ENCOURAGEMENT OF MORE GENEROUS LEAVE POLICIES.

Nothing in this Act or any amendment made by this Act shall be construed to discourage employers from adopting or retaining leave policies more generous than any policies that comply with the requirements under this Act or any amendment made by this Act.

##### SEC. 404. REGULATIONS.

The Secretary of Labor shall prescribe such regulations as are necessary to carry out sections 401 through 403 not later than 60 days after the date of the enactment of this Act.

##### SEC. 405. EFFECTIVE DATES.

(a) TITLE III.—Title III shall take effect on the date of the enactment of this Act.

(b) OTHER TITLES.—

(1) IN GENERAL.—Except as provided in paragraph (2), titles I, II, V and this title shall take effect 6 months after the date of the enactment of this Act.

(2) COLLECTIVE BARGAINING AGREEMENTS.—In the case of a collective bargaining agreement in effect on the effective date prescribed by paragraph (1), title I shall apply on the earlier of—

(A) the date of the termination of such agreement; or

(B) the date that occurs 12 months after the date of the enactment of this Act.

#### TITLE V—COVERAGE OF CONGRESSIONAL EMPLOYEES

##### SEC. 501. COVERAGE OF THE SENATE.

(a) COVERAGE.—

(1) APPLICATION.—The rights and protections established under sections 101 through 105 shall apply with respect to a Senate employee and an employing authority of the Senate.

(2) DEFINITIONS.—For purposes of the application described in paragraph (1)—

(A) the term "eligible employee" means a Senate employee; and

(B) the term "employer" means an employing authority of the Senate.

(b) INVESTIGATION AND ADJUDICATION OF CLAIMS.—All claims raised by any individual with respect to Senate employment, pursuant to sections 101 through 105, shall be investigated and adjudicated by the Select Committee on Ethics, pursuant to S. Res. 338, 88th Congress, as amended, or such other entity as the Senate may designate.

(c) RIGHTS OF EMPLOYEES.—The Committee on Rules and Administration shall ensure that Sen-

ate employees are informed of their rights under sections 101 through 105.

(d) **APPLICABLE REMEDIES.**—When assigning remedies to individuals found to have a valid claim under sections 101 through 105, the Select Committee on Ethics, or such other entity as the Senate may designate, should to the extent practicable apply the same remedies applicable to all other employees covered by such sections. Such remedies shall apply exclusively.

(e) **EXERCISE OF RULEMAKING POWER.**—Notwithstanding any other provision of law, enforcement and adjudication of the rights and protections referred to in subsection (a) shall be within the exclusive jurisdiction of the United States Senate. The provisions of subsections (b), (c), and (d) are enacted by the Senate as an exercise of the rulemaking power of the Senate, with full recognition of the right of the Senate to change its rules, in the same manner, and to the same extent, as in the case of any other rule of the Senate.

#### SEC. 502. LEAVE FOR CERTAIN CONGRESSIONAL EMPLOYEES.

(a) **IN GENERAL.**—The rights and protections under sections 102 through 105 (other than section 104(b)) shall apply to any employee in an employment position and any employing authority of the House of Representatives.

(b) **ADMINISTRATION.**—In the administration of this section, the remedies and procedures under the Fair Employment Practices Resolution shall be applied.

(c) **DEFINITION.**—As used in this section, the term "Fair Employment Practices Resolution" means the resolution in rule 11 of the Rules of the House of Representatives.

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees on the part of the Senate.

There being no objection, the Presiding Officer [Mr. BRYAN] appointed Mr. KENNEDY, Mr. METZENBAUM, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. HATCH, Mrs. KASSEBAUM, and Mr. COATS conferees on the part of the Senate.

#### WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL ACT

Mr. BUMPERS. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1671.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1671) entitled "An Act to withdraw certain public lands and to otherwise provide for the operation of the Waste Isolation Pilot Plant in Eddy County, New Mexico, and for other purposes", do pass with the following amendments:

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Waste Isolation Pilot Plant Land Withdrawal Act".

(b) **TABLE OF CONTENTS.**—

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Land withdrawal and reservation for WIPP.

Sec. 4. Establishment of management responsibilities.

Sec. 5. Plan for test phase activities; retrieval.

Sec. 6. Test phase activities.

Sec. 7. Disposal operations.

Sec. 8. Issuance of Environmental Protection Agency disposal standards.

Sec. 9. Compliance with environmental standards.

Sec. 10. Ban on high-level radioactive waste and spent nuclear fuel.

Sec. 11. Decommissioning of WIPP.

Sec. 12. Solid Waste Disposal Act; Clean Air Act.

Sec. 13. Economic assistance and miscellaneous payments.

Sec. 14. Transportation.

Sec. 15. Environmental evaluation group.

Sec. 16. Authorizations of appropriations.

Sec. 17. Buy American requirements.

#### SEC. 2. DEFINITIONS.

For purposes of this Act:

(1) **ADMINISTRATOR.**—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) **AGREEMENT.**—The term "Agreement" means the July 1, 1981, Agreement for Consultation and Cooperation, as amended by the November 30, 1984 "First Modification" the August 4, 1987 "Second modification", and the March 18, 1988 "Third modification", or as it may be amended after the date of enactment of this Act, between the State of New Mexico and the United States Department of Energy as authorized by section 213(b) of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1259, 1265).

(3) **CONTACT-HANDLED TRANSURANIC RADIOACTIVE WASTE.**—The term "contact-handled transuranic radioactive waste" means transuranic radioactive waste with a surface dose rate not greater than 200 millirem per hour.

(4) **DECOMMISSIONING PHASE.**—The term "decommissioning phase" means the period of time beginning with the end of the operations phase and ending when all shafts at the WIPP repository have been back-filled and sealed.

(5) **DISPOSAL.**—The term "disposal" means permanent isolation of transuranic radioactive waste from the accessible environment with no intent of recovery, whether or not such isolation permits the recovery of such waste.

(6) **DISPOSAL STANDARDS.**—The term "disposal standards" means the environmental standards for the disposal of spent nuclear fuel, high-level radioactive waste, and transuranic radioactive waste to be issued by the Administrator pursuant to section 8.

(7) **EEG.**—The term "EEG" means the Environmental Evaluation Group for the Waste Isolation Pilot Plant referred to in section 1433 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100-456; 102 Stat. 1918, 2073).

(8) **ENGINEERED BARRIERS.**—The term "engineered barriers" means backfill, room seals, panel seals, and any other manmade barrier components of the disposal system.

(9) **HIGH-LEVEL RADIOACTIVE WASTE.**—The term "high-level radioactive waste" has the meaning given such term in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12)).

(10) **OPERATIONS PHASE.**—The term "operations phase" means the period of time, during which transuranic radioactive waste is disposed of at WIPP, beginning with the initial emplacement of transuranic radioactive waste underground for disposal and ending when the last container of transuranic radioactive waste, as determined by the Secretary, is emplaced underground for disposal.

(11) **REMOTE-HANDLED TRANSURANIC RADIOACTIVE WASTE.**—The term "remote-handled

transuranic radioactive waste" means transuranic radioactive waste with a surface dose rate of 200 millirem per hour or greater.

(12) **RETRIEVAL.**—The term "retrieval" means the removal of transuranic radioactive waste and the container in which it has been retained and any material contaminated by such waste from the underground repository at WIPP.

(13) **SECRETARY.**—The term "Secretary", unless otherwise specified, means the Secretary of Energy.

(14) **SPENT NUCLEAR FUEL.**—The term "spent nuclear fuel" has the meaning given such term in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23)).

(15) **TEST PHASE.**—The term "test phase" means the period of time, during which test phase activities are conducted, beginning with the initial receipt of transuranic radioactive waste at WIPP and ending when the earliest of the following events occurs:

(A) The conditions described in section 7(b) are met.

(B) The Administrator certifies under section 9(c)(1)(B) that the WIPP facility will not comply with the disposal standards.

(C) The time period described in section 6(c)(5) expires.

(16) **TEST PHASE ACTIVITIES.**—The term "test phase activities" means the testing and experimentation activities that the Secretary determines to be necessary to determine the suitability of WIPP as a repository for the permanent isolation of transuranic radioactive waste.

(17) **TEST PHASE PLAN.**—The term "test phase plan" means the Department of Energy WIPP Test Phase Plan: Performance Assessment, dated April 1, 1990, and any revisions to such plan, approved by the Administrator under section 5.

(18) **TRANSURANIC RADIOACTIVE WASTE.**—The term "transuranic radioactive waste" means waste containing more than 100 nanocuries of alpha-emitting transuranic isotopes per gram of waste, with half-lives greater than 20 years, except for—

(A) high-level radioactive waste;

(B) waste that the Secretary has determined, with the concurrence of the Administrator, does not need the degree of isolation required by the disposal standards; or

(C) waste that the Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with part 61 of title 10, Code of Federal Regulations.

(19) **WIPP.**—The term "WIPP" means the Waste Isolation Pilot Plant project authorized under section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1259, 1265) to demonstrate the safe disposal of radioactive waste materials generated by defense programs.

(20) **WITHDRAWAL.**—The term "Withdrawal" means the geographical area consisting of the lands described in section 3(c).

#### SEC. 3. LAND WITHDRAWAL AND RESERVATION FOR WIPP.

(a) **LAND WITHDRAWAL, JURISDICTION, AND RESERVATION.**—

(1) **LAND WITHDRAWAL.**—Subject to valid existing rights, and except as otherwise provided in this Act, the lands described in subsection (c) are withdrawn from all forms of entry, appropriation, and disposal under the public land laws, including without limitation the mineral leasing laws, the geothermal leasing laws, the material sale laws (except as provided in section 4(b)(4) of this Act), and the mining laws.

(2) **RESERVATION.**—Such lands are reserved for the use of the Secretary of Energy for the construction, experimentation, operation, repair and maintenance, disposal, shutdown, monitoring, decommissioning, and other authorized ac-

tivities associated with the purposes of WIPP as set forth in section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1259, 1265), and this Act.

(b) **REVOCACTION OF PUBLIC LAND ORDERS.**—Public Land Order 6403 of June 29, 1983, as modified by Public Land Order 6826 of January 28, 1991, and the memorandum of understanding accompanying Public Land Order 6826, are revoked.

(c) **LAND DESCRIPTION.**—

(1) **BOUNDARIES.**—The boundaries depicted on the map issued by the Bureau of Land Management of the Department of the Interior, entitled "WIPP Withdrawal Site Map," dated October 9, 1990, and on file with the Bureau of Land Management, New Mexico State Office, are established as the boundaries of the Withdrawal.

(2) **LEGAL DESCRIPTION AND MAP.**—Within 30 days after the date of the enactment of this Act, the Secretary of the Interior shall—

(A) publish in the Federal Register a notice containing a legal description of the Withdrawal; and

(B) file copies of the map described in paragraph (1) and the legal description of the Withdrawal with the Committees on Energy and Natural Resources and Armed Services of the Senate, the Committees on Interior and Insular Affairs, Energy and Commerce, and Armed Services of the House of Representatives, the Secretary of Energy, the Governor of the State of New Mexico, and the Archivist of the United States.

(d) **TECHNICAL CORRECTIONS.**—The map and legal description referred to in subsection (c) shall have the same force and effect as if they were included in this Act. The Secretary of the Interior may correct clerical and typographical errors in the map and legal description.

(e) **WATER RIGHTS.**—This Act does not establish a reservation to the United States with respect to any water or water rights on the Withdrawal. No provision of this Act may be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of New Mexico on or before the date of the enactment of this Act.

#### SEC. 4. ESTABLISHMENT OF MANAGEMENT RESPONSIBILITIES.

(a) **GENERAL AUTHORITY.**—The Secretary of the Interior shall be responsible for the management of the Withdrawal pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), this Act, and other applicable law, and shall consult with the Secretary of Energy and the State of New Mexico in discharging such responsibility and any other responsibility required by this Act.

(b) **MANAGEMENT PLAN.**—

(1) **DEVELOPMENT.**—Within 1 year after the date of the enactment of this Act, the Secretary of the Interior, in consultation with the Secretary of Energy and the State of New Mexico, shall develop a management plan for the use of the Withdrawal until the end of the decommissioning phase.

(2) **PRIORITY OF WIPP-RELATED USES.**—Any use of the Withdrawal for activities not associated with WIPP shall be subject to such conditions and restrictions as may be necessary to permit the conduct of WIPP-related activities.

(3) **NON-WIPP RELATED USES.**—The management plan developed under paragraph (1) shall provide for the maintenance of wildlife habitat and shall provide that the Secretary of the Interior may permit such non-WIPP related uses of the Withdrawal as the Secretary of the Interior determines to be appropriate, including domestic livestock grazing and hunting and trapping in accordance with the following requirements:

(A) **GRAZING.**—The Secretary of the Interior may permit grazing to continue where estab-

lished before the date of the enactment of this Act, subject to such regulations, policies, and practices as the Secretary of the Interior, in consultation with the Secretary of Energy, determines to be necessary or appropriate. The management of grazing shall be conducted in accord with applicable grazing laws and policies, including—

(i) the Act entitled "An Act to stop injury to public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes," approved June 28, 1934 (43 U.S.C. 315 et seq., commonly referred to as the "Taylor Grazing Act");

(ii) title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.); and

(iii) the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1902 et seq.).

(B) **HUNTING AND TRAPPING.**—The Secretary of the Interior may permit hunting and trapping within the Withdrawal in accordance with applicable laws and regulations of the United States and the State of New Mexico, except that the Secretary of the Interior, after consultation with the Secretary of Energy and the State of New Mexico, may issue regulations designating zones where, and establishing periods when, no hunting or trapping is permitted for reasons of public safety, administration, or public use and enjoyment.

(4) **DISPOSAL OF SALT TAILINGS.**—The Secretary of the Interior shall dispose of salt tailings extracted from the Withdrawal that the Secretary of Energy determines are not needed for backfill at WIPP. Disposition of such tailings shall be made under sections 2 and 3 of the Act of July 31, 1947, (30 U.S.C. 602, 603; commonly referred to as the "Materials Act of 1947").

(5) **PROHIBITION ON MINING.**—No surface or subsurface mining, including slant drilling from outside the boundaries of the Withdrawal, shall be permitted at any time (including after decommissioning) on lands on or under the Withdrawal.

(c) **CLOSURE TO PUBLIC.**—If during the withdrawal made by section 3(a) the Secretary of Energy determines in consultation with the Secretary of the Interior that the health and safety of the public or the common defense and security require the closure to the public use of any road, trail, or other portion of the Withdrawal, the Secretary of Energy may take whatever action the Secretary of Energy determines to be necessary to effect and maintain the closure and shall provide notice to the public of such closure.

(d) **MEMORANDUM OF UNDERSTANDING.**—The Secretary of the Interior and the Secretary of Energy shall enter into a memorandum of understanding to implement the management plan developed under subsection (b). Such memorandum shall remain in effect until the end of the decommissioning phase.

(e) **SUBMISSION OF PLAN.**—Within 1 year after the date of the enactment of this Act, the Secretary of the Interior shall submit the management plan developed under subsection (b) to the Committees on Interior and Insular Affairs and Energy and Commerce of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the State of New Mexico. Any amendments to the plan shall be submitted promptly to such Committees and the State of New Mexico.

#### SEC. 5. PLAN FOR TEST PHASE ACTIVITIES; RETRIEVAL.

(a) **REVIEWS OF TEST PHASE PLAN BY SECRETARY.**—

(1) **ANNUAL REVIEW.**—The Secretary shall annually review the test phase plan and propose

any revisions required to ensure that all of the proposed activities described in the plan are necessary to demonstrate that the WIPP facility will comply with the final disposal standards.

(2) **REQUIRED CONSULTATION.**—The Secretary shall conduct any review, and make any required revisions, of the test phase plan in consultation with the National Academy of Sciences, the Administrator, and the EEG.

(b) **TEST PHASE ACTIVITIES TO BE CONDUCTED AT WIPP.**—

(1) **JUSTIFICATION AND TEST PHASE ACTIVITIES.**—The test phase plan (and any revisions to such plan) shall—

(A) include justification for all test phase activities to be conducted at WIPP;

(B) specify the quantities and types of transuranic radioactive waste required for such activities; and

(C) be submitted for review and approval to the Administrator.

(2) **APPROVAL BY ADMINISTRATOR.**—

(A) **IN GENERAL.**—The Administrator shall determine by rule, pursuant to chapter 5 of title 5, United States Code, whether to approve or disapprove the test phase plan (and any revisions to such plan). The Administrator shall issue a proposed rule under this paragraph not later than 90 days after receipt of such plan (and revisions).

(B) **STANDARD FOR APPROVAL.**—The Administrator may approve the test phase plan (and any revisions to such plan) only if the Administrator determines that all of the proposed activities described in such plan (and revisions) are necessary to demonstrate that the WIPP facility will comply with the final disposal standards under section 8.

(c) **RETRIEVAL PLAN.**—The Secretary shall issue and submit to the Administrator for review a detailed retrieval plan to be implemented by the Secretary under section 6(c)(5) or 9(b)(3). Such plan shall include specific plans for the interim management and storage of any such removed waste and specify the location of such storage. The Administrator shall determine by rule, pursuant to chapter 5 of title 5, United States Code, whether to approve or disapprove such plan. The Administrator shall issue a proposed rule under this subsection not later than 90 days after receiving such plan.

(d) **REVIEW BY STATE.**—

(1) **IN GENERAL.**—In addition to the review by the Administrator of the test phase plan (or any revisions to such plan) under subsection (b)(2) and the retrieval plan under subsection (c), the Secretary shall submit each plan or revision, as appropriate, subject to review under such subsections to the State of New Mexico for review. The State of New Mexico shall complete its review and specify any disagreement with the plan (or any revisions to such plan) within 90 days of receipt of such plan or revisions.

(2) **CONFLICT RESOLUTION.**—In the event that the State of New Mexico disagrees with any aspect of any plan or revision to such plan subject to review under paragraph (1), the conflict resolution procedures described in Article IX of the Agreement shall be employed to resolve such disagreement.

(e) **WASTE CHARACTERIZATION.**—The Secretary shall, after providing notice and an opportunity for public comment, fully characterize all transuranic radioactive waste types at all sites from which wastes are to be shipped to WIPP. The results of such characterization shall be reflected in the test phase plan (and any revisions to such plan) before the Administrator may provide certification under section 9(c)(1)(B).

#### SEC. 6. TEST PHASE ACTIVITIES.

(a) **GENERAL AUTHORITY.**—The Secretary is authorized, subject to subsections (b) and (c), to conduct test phase activities in accordance with the test phase plan.

(b) **REQUIREMENTS FOR COMMENCEMENT OF TEST PHASE ACTIVITIES.**—The Secretary may not transport any transuranic radioactive waste to WIPP to conduct test phase activities under subsection (a) unless the following requirements are met:

(1) **FINAL DISPOSAL STANDARDS ISSUED.**—The final disposal standards are issued and published in the Federal Register under section 8.

(2) **TERMS OF NO-MIGRATION DETERMINATION COMPLIED WITH.**—The Administrator has determined that the Secretary has complied with the terms and conditions set forth in paragraphs (5), (6), and (7) of the no migration determination described at page 47,720 of Volume 55, No. 220 of the Federal Register, on November 14, 1990.

(3) **RETRIEVAL PLAN APPROVED.**—The Secretary has issued and the Administrator has approved the retrieval plan required under section 5(c).

(4) **TEST PHASE PLAN APPROVED.**—The Administrator has approved the test phase plan (and any revisions to such plan) in accordance with section 5(b)(2).

(5) **CONSIDERATION BY STATE.**—

(A) **REVIEW COMPLETED.**—The Secretary has complied with the requirements of section 5(d) and the State of New Mexico has completed its review under such section.

(B) **CONFLICT RESOLUTION.**—In the event that the conflict resolution procedures described in section 5(d)(2) are employed for any review required under section 5(d)(1), such review shall not be considered complete until the disagreement necessitating the use of such procedures has been resolved in accordance with such procedures.

(6) **EMERGENCY RESPONSE TRAINING.**—

(A) **REVIEW.**—The Secretary of Labor, acting through the Occupational Safety and Health Administration, has reviewed the emergency response training programs of the Department of Energy that apply to WIPP.

(B) **CERTIFICATION.**—The Secretary of Labor, acting through the Occupational Safety and Health Administration, has certified that emergency response training programs of the Department of Energy that apply to WIPP are in compliance with part 1910.120 of title 29, Code of Federal Regulations.

(7) **CERTIFICATION OF SAFETY.**—The Secretary has certified that the safety of all test phase activities to be completed at WIPP can be ensured through procedures that would not compromise the type, quantity, or quality of data collected from such test phase activities.

(c) **LIMITATIONS.**—Test phase activities conducted under subsection (a) shall be subject to the following limitations:

(1) **QUANTITY OF WASTE THAT MAY BE TRANSPORTED.**—During the test phase, the Secretary may transport to WIPP—

(A) only such quantities of transuranic radioactive waste as the Administrator has determined under section 5(b) are necessary to conduct test phase activities to demonstrate that the WIPP facility will comply with the disposal standards; and

(B) in no event more than 4,250 55-gallon drums of transuranic radioactive waste or 1/2 percent of the total capacity of WIPP as described in section 7(a), whichever is less.

(2) **REMOTE-HANDLED WASTE.**—

(A) **TRANSPORTATION AND EMPLACEMENT.**—The Secretary may not transport to or emplace remote-handled transuranic radioactive waste at WIPP during the test phase.

(B) **STUDY.**—

(i) **IN GENERAL.**—Within 2 years after the date of the enactment of this Act, the Secretary shall complete a study on remote-handled transuranic radioactive waste in consultation with affected States, the Administrator, and after the solicitation of views of other interested parties.

(ii) **REQUIREMENTS OF STUDY.**—Such study shall include an analysis of the impact of remote-handled transuranic radioactive waste on the performance assessment of WIPP and a comparison of remote-handled transuranic radioactive waste with contact-handled transuranic radioactive waste on such issues as gas generation, flammability, explosivity, solubility, and brine and geochemical interactions.

(iii) **PUBLICATION.**—The Secretary shall publish the findings of such study in the Federal Register.

(iv) **REVISION.**—Unless such study finds that remote-handled transuranic radioactive waste requires no additional precautions for disposal in WIPP, the Secretary shall revise the test phase plan to require testing of remote-handled transuranic radioactive waste subject to subparagraph (A).

(3) **ANNUAL CERTIFICATIONS OF RETRIEVABILITY.**—Beginning 1 year after the initial emplacement of transuranic radioactive waste underground at WIPP under subsection (a), and continuing annually throughout the test phase, the Secretary shall certify and the Administrator shall concur that all waste emplaced underground at WIPP remains and will remain fully retrievable during the test phase.

(4) **STABILITY OF ROOMS USED FOR TESTING.**—Transuranic radioactive waste may be emplaced in mined rooms in the underground repository at WIPP to conduct test phase activities only after the Secretary of Labor, acting through the Mine Safety and Health Administration, has certified to the Secretary of Energy that such rooms will remain sufficiently stable and safe to permit uninterrupted testing for the duration of such activities.

(5) **COMPLIANCE WITH DISPOSAL STANDARDS.**—If, upon the expiration of the 10-year period beginning on the date of the enactment of this Act, the Administrator has not certified under section 9(c)(1)(B) that the WIPP facility will comply with the disposal standards—

(A) the Secretary or the Secretary of the Interior, as appropriate, shall implement the retrieval plan under section 5(c) and the decommissioning and post-decommissioning plans under section 11; and

(B) following implementation of such plans, the land withdrawal made by section 3(a) shall terminate.

**SEC. 7. DISPOSAL OPERATIONS.**

(a) **CAPACITY OF WIPP FACILITY.**—The Secretary may dispose of not more than 5.6 million cubic feet of contact-handled transuranic radioactive waste and 95,000 cubic feet of remote-handled transuranic radioactive waste in WIPP.

(b) **COMMENCEMENT OF DISPOSAL OPERATIONS.**—The Secretary may commence emplacement of transuranic radioactive waste underground for disposal at WIPP only upon completion of—

(1) the Administrator's certification under section 9(c)(1)(B) that the WIPP facility will comply with the disposal standards;

(2) the submission to the Congress by the Secretary and the Secretary of the Interior, respectively, of plans for decommissioning WIPP and post-decommissioning management of the Withdrawal under section 11;

(3) the expiration of the 180-day period beginning on the date on which the Secretary notifies the Congress that all permits and certifications required for disposal operations to begin have been received;

(4) Nuclear Regulatory Commission certification as described in section 14(a) of a container for transporting remote-handled transuranic radioactive waste to WIPP;

(5) the acquisition by the Secretary (whether by purchase, condemnation, or otherwise) of Federal Oil and Gas Leases No. NNMN 02953 and No. NNMN 02953C, unless the Adminis-

trator determines pursuant to the authority under section 9(a), 9(b), or 9(c) of this Act and section 3004 of the Solid Waste Disposal Act (42 U.S.C. 6924) that such acquisition is not required; and

(6) the submittal to the Congress by the Secretary of comprehensive recommendations for the disposal of all transuranic radioactive waste under the control of the Secretary, including a timetable for the disposal of such waste.

**SEC. 8. ISSUANCE OF ENVIRONMENTAL PROTECTION AGENCY DISPOSAL STANDARDS.**

The Administrator shall issue, not later than 6 months after the date of the enactment of this Act, final environmental standards for the disposal of spent nuclear fuel, high-level radioactive waste, and transuranic radioactive waste.

**SEC. 9. COMPLIANCE WITH ENVIRONMENTAL STANDARDS.**

(a) **MANAGEMENT AND STORAGE; CLEAN AIR; HAZARDOUS WASTE.**—

(1) **APPLICABILITY.**—The Secretary shall, during the test phase, the operations phase, and the decommissioning phase, comply with respect to WIPP, with—

(A) the Environmental Protection Agency standards for the management and storage of spent nuclear fuel, high-level radioactive waste, and transuranic radioactive waste described in subpart A of part 191 of title 40, Code of Federal Regulations;

(B) the Clean Air Act (40 U.S.C. 7401 et seq.);

(C) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(D) title XIV of the Public Health Service Act (the Safe Drinking Water Act) (42 U.S.C. 300f et seq.);

(E) the Toxic Substances Control Act (15 U.S.C. 2601 et seq.);

(F) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(G) all regulations promulgated under the laws described in subparagraphs (B) through (F); and

(H) all other applicable Federal laws (and regulations promulgated thereunder) pertaining to public health and safety or the environment and all applicable State and local laws (and regulations promulgated thereunder) pertaining to public health and safety or the environment.

(2) **PERIODIC OVERSIGHT BY ADMINISTRATOR AND STATE OF NEW MEXICO.**—The Secretary shall, not later than 2 years after the date of the enactment of this Act, and biennially thereafter, submit documentation of continued compliance with the laws, regulations, and standards described in subparagraphs (A), (B), (D), (E), (F), (G), and (H) of paragraph (1), to the Administrator, and with the law described in paragraph (1)(C) and any regulations promulgated thereunder, to the State of New Mexico.

(3) **CONCURRENCE OF ADMINISTRATOR.**—The Administrator by rule pursuant to chapter 5 of title 5, United States Code, or the State of New Mexico, as appropriate, shall determine not later than 6 months after receiving a submission under paragraph (2) whether the Secretary is in compliance with the laws, regulations, and standards described in paragraph (1) with respect to WIPP.

(b) **DETERMINATION OF NONCOMPLIANCE DURING TEST PHASE.**—

(1) **DETERMINATION BY ADMINISTRATOR.**—If the Administrator determines at any time during the test phase that—

(A) the WIPP facility will not comply with the disposal standards under subsection (c)(1)(B);

(B) the Secretary is not conducting test phase activities involving underground emplacement of transuranic radioactive waste in a manner that allows the waste to be readily retrieved as required by condition (4) of the no-migration de-

termination described at page 47,720 of volume 55, No. 220 of the Federal Register, on November 14, 1990;

(C) conditions at the WIPP facility do not allow the waste to be readily retrieved as required by such condition; or

(D) the WIPP facility does not comply with any law, regulation, or standard described in subsection (a)(1); the Administrator shall request a remedial plan from the Secretary describing actions the Secretary will take to comply with such regulatory requirements.

(2) DETERMINATION BY STATE.—If the State of New Mexico determines at any time during the test phase that the Secretary has not complied with the standards applicable to owners and operators of hazardous waste, treatment, storage, and disposal facilities under section 3004 of the Solid Waste Disposal Act (42 U.S.C. 6924) with respect to activities at WIPP, the State of New Mexico shall request a remedial plan from the Secretary describing actions the Secretary will take to comply with such regulatory requirements.

(3) IMPLEMENTATION OF RETRIEVAL PLAN.—If a remedial plan is not received from the Secretary within 6 months of a determination of noncompliance with a regulatory requirement described in paragraph (1) or (2), or if the Administrator or the State of New Mexico, as appropriate, finds any such remedial plan to be inadequate to demonstrate compliance with such regulatory requirement—

(A) the Secretary or the Secretary of the Interior, as appropriate, shall implement the retrieval plan under section 5(c) and the decommissioning and post-decommissioning plans under section 11; and

(B) following implementation of such plans, the land withdrawal made by section 3(a) shall terminate.

(c) DISPOSAL STANDARDS.—

(1) REQUIREMENTS FOR COMMENCEMENT OF DISPOSAL.—Before any transuranic radioactive waste may be emplaced underground at WIPP for disposal under section 7(b)—

(A) the Secretary shall have submitted sufficient documentation to the Administrator to demonstrate that the WIPP facility will comply with the disposal standards; and

(B) the Administrator shall have certified by rule pursuant to chapter 5 of title 5, United States Code, that the WIPP facility will comply with the disposal standards.

(2) PERIODIC RECERTIFICATION.—

(A) BY SECRETARY.—During the period beginning 2 years after the initial receipt of transuranic radioactive waste for disposal at WIPP and ending at the end of the decommissioning phase, the Secretary shall biennially demonstrate that the WIPP facility will comply with the disposal standards and submit documentation of such demonstration to the Administrator.

(B) CONCURRENCE OF ADMINISTRATOR.—The Administrator shall, not later than 6 months after receiving a submission under subparagraph (A), determine whether or not the WIPP facility will comply with the disposal standards.

(3) LIMITATION.—Any determination of the Administrator under paragraph (1)(B) or (2)(B) may only be made after the documentation is submitted to the Administrator under paragraph (1)(A) or (2)(A), respectively.

(4) ENGINEERED AND NATURAL BARRIERS.—The Secretary shall use both engineered and natural barriers at WIPP to isolate transuranic radioactive waste after disposal to the extent necessary to comply with the disposal standards.

(d) DETERMINATION OF NONCOMPLIANCE DURING OPERATIONS PHASE AND DECOMMISSIONING PHASE.—

(1) REMEDIAL PLANS.—

(A) MANAGEMENT AND STORAGE; CLEAN AIR; HAZARDOUS WASTE.—If, during the operations

phase or decommissioning phase, the Administrator, or the State of New Mexico, as appropriate, determines after any submission under subsection (a)(2), that the Secretary has not demonstrated compliance with any regulatory requirement described in such subsection, the Administrator, or the State of New Mexico, as appropriate, shall request a remedial plan from the Secretary describing actions the Secretary will take to demonstrate compliance with such regulatory requirement.

(B) DISPOSAL STANDARDS.—If, during the operations phase or decommissioning phase, the Administrator determines under subsection (c)(2)(B), that the WIPP facility will not comply with the disposal standards, the Administrator shall request a remedial plan from the Secretary describing actions the Secretary will take to demonstrate that the facility will comply with such standards.

(2) CONSEQUENCES OF NONCOMPLIANCE DURING OPERATIONS PHASE OR DECOMMISSIONING PHASE.—If a plan is not received from the Secretary within 6 months of a determination of noncompliance with a regulatory requirement described in paragraph (1)(A) or (1)(B), or the Administrator or the State of New Mexico, as appropriate, finds any such plan inadequate to demonstrate compliance with such regulatory requirement—

(A) the Secretary shall retrieve, to the extent practicable, any transuranic radioactive waste and any material contaminated by such waste from underground at WIPP;

(B) the Secretary or the Secretary of the Interior, as appropriate, shall implement the decommissioning and post-decommissioning plans under section 11; and

(C) following completion of such retrieval and implementation of such plans, the land withdrawal made by section 3(a) shall terminate.

(e) ISSUANCE OF REGULATIONS.—The Administrator shall issue regulations not later than 6 months after the date of the enactment of this Act governing the approval of a test phase plan under section 5(b), periodic oversight under subsection (a)(2), the certification and recertification processes under subsections (c)(1)(B) and (c)(2)(B), respectively, and the retrieval process required under subsection (d)(2). Such regulations shall provide opportunities for public participation in such processes.

(f) SAVINGS PROVISION.—The authorities provided to the Administrator and the State pursuant to this section are in addition to the enforcement authorities available to the State pursuant to State law and to the Administrator, the State, and any other person, pursuant to the Solid Waste Disposal Act and the Clean Air Act.

SEC. 10. BAN ON HIGH-LEVEL RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL.

The Secretary may not transport high-level radioactive waste or spent nuclear fuel to WIPP or emplace or dispose of such waste or fuel at WIPP.

SEC. 11. DECOMMISSIONING OF WIPP.

(a) PLAN FOR WIPP DECOMMISSIONING.—Within 5 years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services and Energy and Natural Resources of the Senate; the Committees on Armed Services, Energy and Commerce, and Interior and Insular Affairs of the House of Representatives; the State of New Mexico; the Secretary of the Interior; and the Administrator a plan to be implemented by the Secretary for decommissioning WIPP. In addition to activities required under the Agreement, the plan shall conform to the disposal standards that apply to WIPP at the time the plan is prepared. The Secretary shall consult with the Secretary of the Interior and the State of New Mexico in the preparation of such plan.

(b) MANAGEMENT PLAN FOR THE WITHDRAWAL AFTER DECOMMISSIONING.—Within 5 years after

the date of the enactment of this Act, the Secretary of the Interior shall develop a plan to be implemented by the Secretary of the Interior for the management and use of the Withdrawal following the decommissioning of WIPP and the termination of the land withdrawal made by section 3(a). The Secretary of the Interior shall consult with the Secretary and the State of New Mexico in the preparation of such plan and shall submit such plan to the Committee on Energy and Natural Resources of the Senate and the Committees on Interior and Insular Affairs and Energy and Commerce of the House of Representatives.

SEC. 12. SOLID WASTE DISPOSAL ACT; CLEAN AIR ACT.

No provision of this Act may be construed to supersede or modify the provisions of the Clean Air Act (42 U.S.C. 7401 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 13. ECONOMIC ASSISTANCE AND MISCELLANEOUS PAYMENTS.

(a) IMPACT ASSISTANCE PAYMENTS.—

(1) IN GENERAL.—The Secretary may, to such extent and for such amounts as are provided in advance in appropriation Acts, provide payments to the State of New Mexico to assist the State and its affected units of local government in mitigating the potential environmental, social, transportation, economic and other impacts resulting from WIPP. Payments under this paragraph—

(A) may not, in the aggregate, exceed \$40,000,000; and

(B) shall be made from the \$40,000,000 appropriated under Public Law 102-27 (105 Stat. 130, 141) and the Energy and Water Development Appropriations Act, 1992 (Public Law 102-104; 105 Stat. 510, 529).

(2) PAYMENTS TO LOCAL GOVERNMENTS.—A portion of all payments received by the State of New Mexico under paragraph (1) shall be provided directly to the affected units of local government in the vicinity of, and along the transportation routes to, WIPP. The portion of payments provided to local governments, the identification of local governments to receive payments, and the amount of payment to each local government shall be based on a State assessment of needs, conducted in consultation with affected units of local government and based upon the demonstration of local impacts by the affected local governments.

(3) MEDICAL EMERGENCY PREPAREDNESS PAYMENTS TO LOCAL GOVERNMENTS.—A portion of all payments received by the State of New Mexico under paragraph (1) shall be used for the equipment and training needs of the health care community for purposes of responding to emergencies arising from the operation of WIPP or the transportation of transuranic radioactive waste to WIPP.

(4) ECONOMIC IMPACT MONITORING FUNCTION.—A portion of all payments received by the State of New Mexico under paragraph (1) shall be used to establish a Socioeconomic Impact Monitoring Group within the Waste Management Education and Research Consortium to undertake an annual review of activities at WIPP.

(b) WIPP-RELATED BUSINESS AND EMPLOYMENT OPPORTUNITIES.—To the maximum extent practicable, the Secretary shall continue to encourage business and employment opportunities related to WIPP that may be conducive to the economy of the State of New Mexico, especially Lea and Eddy counties, and report annually to the State of New Mexico on these activities.

SEC. 14. TRANSPORTATION.

(a) SHIPPING CONTAINERS.—No transuranic radioactive waste may be transported by or for the Secretary to or from WIPP, except in packages that have been certified for the transportation of transuranic radioactive waste by the Nuclear

Regulatory Commission and have satisfied the Nuclear Regulatory Commission's quality assurance provisions.

(b) ACCIDENT PREVENTION AND EMERGENCY PREPAREDNESS.—

(1) TRAINING.—

(A) IN GENERAL.—In addition to activities required pursuant to the December 27, 1982, Supplemental Stipulated Agreement, the Secretary shall provide technical assistance for the purpose of training public safety officials, and other emergency responders as described in part 1910.120 of title 29, Code of Federal Regulations, in any State or Indian tribe through whose jurisdiction the Secretary plans to transport transuranic radioactive waste to or from WIPP. Within 30 days of the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Energy and Natural Resources of the Senate and the Committees on Interior and Insular Affairs and Energy and Commerce of the House of Representatives and to the States and Indian tribes through whose jurisdiction the Secretary plans to transport transuranic radioactive waste on the training provided through fiscal year 1992.

(B) ONGOING TRAINING.—If determined by the Secretary, in consultation with affected States and Indian tribes, to be necessary and appropriate, training described in subparagraph (A) shall continue after the date of the enactment of this Act until the transuranic radioactive waste shipments to or from WIPP have been terminated.

(C) REVIEW OF TRAINING.—The Secretary shall periodically review the training provided pursuant to subparagraph (A) in consultation with affected States and Indian tribes.

(D) COMPONENTS OF TRAINING.—The training provided pursuant to subparagraph (A) shall cover procedures required for the safe routine transportation of transuranic radioactive waste, as well as procedures for dealing with emergency response situations, including—

(i) instruction of government officials and public safety officers in procedures for the command and control of the response to any incident involving the waste;

(ii) instruction of emergency response personnel in procedures for the initial response to an incident involving transuranic radioactive waste being transported to or from WIPP;

(iii) instruction of radiological protection and emergency medical personnel in procedures for responding to an incident involving transuranic radioactive waste being transported to or from WIPP; and

(iv) a program to provide information to the public about the transportation of transuranic radioactive waste to or from WIPP.

(2) EQUIPMENT.—The Secretary may enter into agreements to assist States through contributions in-kind, in acquiring equipment for response to an incident involving transuranic radioactive waste transported to or from WIPP.

(c) SANTA FE BYPASS.—No transuranic radioactive waste may be transported from the Los Alamos National Laboratory to WIPP until—

(1) all of the funds necessary for the cost of construction of the Santa Fe bypass have been appropriated by the Congress or the State of New Mexico; or

(2) the Santa Fe bypass has been completed.

(d) STUDY OF TRANSPORTATION ALTERNATIVES.—

(1) IN GENERAL.—The Secretary shall conduct a study comparing the shipment of transuranic radioactive waste to the WIPP facility by truck and by rail, including the use of dedicated trains, and shall submit a report on the study in accordance with paragraph (2). Such report shall include—

(A) a consideration of occupational and public risks and exposures, and other environmental impacts;

(B) a consideration of emergency response capabilities;

(C) an estimation of comparative costs; and

(D) findings and recommendations with respect to—

(i) the most appropriate routes for transporting transuranic radioactive waste to WIPP based on the foregoing considerations; and

(ii) necessary or appropriate measures to minimize the potential risks to public health and safety and the environment of transporting transuranic radioactive waste along such routes, taking into consideration weather, other natural conditions or hazards, and other relevant criteria.

(2) IMPLEMENTATION OF STUDY RECOMMENDATIONS.—The Secretary, in consultation with affected States and Indian tribes, shall implement the recommendations made under paragraph (1)(D) to the extent practicable. The Secretary shall certify such implementation to the Congress prior to the transportation of transuranic radioactive waste to WIPP for disposal.

(3) REPORT.—The report required in paragraph (1) and the certification required in paragraph (2) shall be submitted to the Speaker of the House of Representatives and the President pro tempore of the Senate not later than July 1, 1993.

(4) FUNDING.—Of appropriated amounts described in section 13(a)(1)(B), the Secretary shall use an amount not to exceed \$300,000 to carry out the study required under this subsection.

SEC. 15. ENVIRONMENTAL EVALUATION GROUP.

(a) ACCESS TO DATA, REPORTS AND MEETINGS.—The Secretary shall—

(1) provide the EEG with free and timely access to data relating to WIPP produced or obtained by the Secretary or contractors of the Secretary;

(2) provide the EEG with preliminary reports relating to WIPP; and

(3) permit the EEG to attend meetings relating to WIPP with expert panels, peer review groups, and appropriate Federal agencies.

(b) EVALUATION AND PUBLICATION.—The EEG may evaluate and publish analyses of the Secretary's plans for test phase activities, monitoring, transportation, operations, decontamination, retrieval, performance assessment, compliance with Environmental Protection Agency standards, decommissioning, safety analyses, and other activities relating to WIPP.

(c) CONSULTATION AND COOPERATION.—The Secretary shall consult and cooperate with the EEG in carrying out the requirements of this section.

SEC. 16. AUTHORIZATIONS OF APPROPRIATIONS.

(a) FOR ADMINISTRATOR.—

(1) IN GENERAL.—There are authorized to be appropriated to the Administrator for the purpose of fulfilling the responsibilities of the Administrator under this Act, \$10,000,000 for fiscal year 1992, \$12,000,000 for fiscal year 1993, \$14,000,000 for fiscal year 1994, and such sums as may be necessary for fiscal years 1995 through 2001.

(2) REPORT.—The Administrator shall, not later than September 30, 1993, and annually thereafter, issue a report to the Committees on Interior and Insular Affairs and Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the status of and resources required for the fulfillment of the Administrator's responsibilities under this Act.

(b) TRANSFERS FROM SECRETARY TO ADMINISTRATOR AND MSHA.—The Secretary is authorized to transfer from amounts appropriated for environmental restoration and waste management for fiscal years 1992 and 1993, and (to the extent approved in appropriation Acts) for fiscal years 1994 through 2001, such sums as may be useful for the purpose of assisting in the fulfill-

ment of the responsibilities of the Administrator under this Act and the Mine Safety and Health Administration under section 6(c)(4).

(c) ACQUISITION OF LEASEHOLD.—There are authorized to be appropriated to the Secretary such sums as may be necessary to acquire the 1,600 acre potash leasehold within the Withdrawal, comprising a portion of Federal Potash Lease No. NM 0384584, and the Federal Oil and Gas Leases No. NMNM 02953 and No. NMNM 02953C.

SEC. 17. BUY AMERICAN REQUIREMENTS.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds appropriated or transferred pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

(b) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—

(1) IN GENERAL.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

Amend the title so as to read: "An Act to withdraw land for the Waste Isolation Pilot Plant, and for other purposes."

Mr. BUMPERS. I move that the Senate disagree to the amendments of the House, request a conference on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSTON, Mr. FORD, Mr. BINGAMAN, Mr. CONRAD, Mr. WALLOP, Mr. DOMENICI, and Mr. COATS conferees on the part of the Senate.

#### INCREASES IN AUTHORIZATIONS

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 542, S. 2321, a bill to increase the authorizations for the War in the Pacific National Historical Park, Guam, and the American Memorial Park, Saipan, and for other purposes; that the bill be read for the third time, passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AKAKA. Mr. President, I rise in support of S. 2321 and urge its passage.

At the outset, let me commend my colleagues on the Senate Energy and Natural Resources Committee for helping advance this bill to the Senate floor. Without the leadership of Chairman JOHNSTON as well as Senator WALLOP, Senator BUMPERS, and Senator MURKOWSKI, this bill would never have advanced this far in the process.

I also want to express my special thanks to Senator HEFLIN. More than

anyone, he understands the importance of this legislation. Our colleague from Alabama served in the battle to liberate Guam, was wounded there, and personally witnessed the sacrifices of American service personnel during that conflict.

The summer of 1994 will mark the 50th anniversary of the capture of the Marianas Islands and the liberation of Guam, sites of two of the largest land battles of the World War II Pacific campaign on what is now U.S. territory.

Nearly 6,000 U.S. soldiers and civilians gave their lives in these battles.

These dearly bought victories are representative of the island-hopping campaign which characterized the unique, ferocious war in the Pacific theater, a campaign which led to the eviction of enemy forces from strategic islands in the Central and Southwest Pacific, and eventually, to the surrender of Japan.

For the marines and soldiers who survived these battles, as well as the families and descendants of those who perished, the words Saipan, Tinian, and Guam are synonymous with courage, duty, and sacrifice. Thoughts of these battles stir the deepest emotions in all who served in the Pacific campaign.

No doubt these battles also had a profound effect on a 20-year-old naval aviator—named George Bush—who participated in aerial attacks on Japanese fortifications in Guam and Saipan in order to soften Japanese defenses for the marine assault that was to follow.

Unfortunately, despite the significance of the Marianas campaign and the river of blood spilled there by American servicemen, the condition of these historic battlefields is an affront to all Americans. Facilities at these sites are limited or nonexistent. Little identifies or interprets the history of these battles or recognizes the sacrifices of those who died there. Rust corrodes the tanks and cannon on public display, weeds and grasses cover roads and walkways, and facilities are marred by graffiti.

The 50th anniversary of these battles will soon be upon us. Yet little has been done to construct the facilities necessary for a proper interpretation of these watershed battles of the Pacific war. I fear that unless S. 2321 reaches the President's desk in the very near future, the 50th anniversary of these battles will come as a grave disappointment to veterans returning to these sites just 2 years from now.

The issue we face is rather simple. Congress and the Bush administration must ask itself whether what we fought for in 1944 is worth honoring today. I certainly believe it is.

How we treat those who fought and died on our behalf is a reflection of our national character. We must fulfill the commitment made years ago to establish these battlefield parks as a lasting

remembrance of these events for years to come.

In closing, I would also like to thank our fine staff on the Senate Energy Committee. No Senate committee has a more talented and dedicated group of professionals. Without their commitment, a bill such as this could easily be overlooked.

So, the bill (S. 2321) was passed, as follows:

#### S. 2321

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

Congress finds that—

(1) June 15 through August 10, 1994, marks the 50th anniversary of the Mariana campaign of World War II in which United States forces captured the Japanese islands of Saipan and Tinian and liberated the United States Territory of Guam from Japan;

(2) an attack during this campaign by the Japanese combined fleet, aimed at annihilating the United States forces that had landed on Saipan, led to the battle of the Philippine Sea, which resulted in a crushing defeat for the Japanese by United States naval forces and the destruction of the effectiveness of the Japanese carrier-based airpower;

(3) the recapture of Guam liberated one of the few pieces of United States territory that was occupied by the enemy during World War II and restored United States Government to more than 20,000 native Guamanians;

(4) units of the United States Army, Navy, Marine Corps, and Coast Guard fought with great bravery and sacrifice, suffering casualties of approximately 5,700 killed and missing and 21,900 wounded in action;

(5) United States forces succeeded in destroying all Japanese garrisons in Saipan, Tinian, and Guam, which resulted in Japanese military casualties of 54,000 dead and 21,900 taken prisoner;

(6) Guamanians, notably members of the Navy Insular Force Guard and volunteer militia, bravely resisted the invasion and occupation of their island, and ultimately assisted in the expulsion of Japanese forces from Guam;

(7) at the hands of the Japanese, the people of Guam—

(A) were forcibly removed from their homes;

(B) were relocated to remote sections of the island;

(C) were required to perform forced labor and faced other harsh treatment, injustices, and death; and

(D) were eventually placed in concentration camps and subjected to retribution when the liberation of their island became apparent to the Japanese;

(8) the seizure of the Mariana Islands severed Japanese lines of communication between Japan proper and those remaining Japanese bases and forces in the Central Pacific south of the Mariana Islands and in the South Pacific as well;

(9) the Mariana Islands provided large island areas on which advance bases could be constructed to support further operations against Japanese possessions and conquered territories such as Iwo Jima and Okinawa, the Philippines, Taiwan, and the south China coast, and ultimately against the Japanese home islands;

(10) the Mariana Islands provided, for the first time during the war, island air bases

from which United States land-based airpower could reach Japan itself; and

(11) the air offensive staged from the Mariana Islands against Japanese cities and economic infrastructure helped shorten the war and vitiate the need for the invasion and capture of the Japanese home islands.

#### SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) an appropriate commemoration of the 50th anniversary of the Mariana campaign should be planned; and

(2) the Secretary of the Interior should take all necessary steps to ensure that two visitors centers to provide appropriate facilities for the interpretation of the events described in section 1 are completed, one at the War in the Pacific National Historical Park and one at the American Memorial Park, before June 15, 1994, the beginning of the 50th anniversary of the campaign.

#### SEC. 3. WAR IN THE PACIFIC NATIONAL HISTORICAL PARK.

Section 6(k) of the Act entitled "An Act to authorize appropriations for certain insular areas of the United States, and for other purposes", approved August 18, 1978 (92 Stat. 493; 16 U.S.C. 410dd(k)), is amended by striking "\$500,000" and inserting "\$8,000,000".

#### SEC. 4. AMERICAN MEMORIAL PARK.

Section 5(g) of the Act entitled "An Act to authorize appropriations for certain insular areas of the United States, and for other purposes", approved August 18, 1978 (92 Stat. 492), is amended by striking "\$3,000,000" and inserting "\$8,000,000".

#### COMPENSATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 546, S. 2322, a bill to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2322) to increase the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which was reported from the Committee on Veterans' Affairs with an amendment to strike out all after the enacting clause and inserting in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 1992".

#### SEC. 2. DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION RATE INCREASES.

(a) IN GENERAL.—(1) The Secretary of Veterans Affairs shall, as provided in paragraph (2), increase, effective December 1, 1992, the rates of and limitations on Department of Veterans Affairs disability compensation

and dependency and indemnity compensation.

(2)(A) The Secretary shall increase each of the rates and limitations in sections 1114, 1115(1), 1162, 1311, 1313, and 1314 of title 38, United States Code, that were increased by the amendments made by the Veterans' Compensation Rate Amendments of 1991 (Public Law 102-152; 105 Stat. 985). The increase shall be made in such rates and limitations as in effect on November 30, 1992, and shall be by the same percentage that benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1992, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(B) In the computation of increased rates and limitations pursuant to subparagraph (A), amounts of \$0.50 or more shall be rounded to the next higher dollar amount and amounts of less than \$0.50 shall be rounded to the next lower dollar amount.

(b) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (2 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

(c) PUBLICATION REQUIREMENT.—At the same time as the matters specified in section 214(1)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1992, the Secretary shall publish in the Federal Register the rates and limitations referred to in subsection (a)(2)(A) as increased under this section.

Mr. CRANSTON. Mr. President, as chairman of the Committee on Veterans' Affairs, I rise in strong support of this legislation to provide a cost-of-living adjustment in compensation paid to veterans with service-connected disabilities and to survivors of veterans who died from service-connected causes. We must attach the highest priority to meeting the Nation's responsibilities to these 2.2 million veterans and 350,000 survivors. This is—and always has been—my number-one priority in veterans' affairs.

Mr. President, through an annual COLA, we ensure that the value of these essential benefits is not eroded by inflation. The bill we are considering today would increase, effective December 1, 1992, the rates of compensation paid to veterans with service-connected disabilities and of dependency and indemnity compensation [DIC] paid to the survivors of certain service-disabled veterans. The rates would increase by the same percentage as the increase in Social Security and VA pension benefits. The compensation COLA would become effective on the same date that the increase for those benefits takes effect.

The Congressional Budget Office's most recent estimate of the December 1, 1992, Social Security and VA-pension COLA is 3.2 percent. The President's fiscal year 1993 budget contained an estimate that the increase would be 3 percent. CBO estimates that a 3.2-per-

cent COLA would cost \$339 million in budget authority and \$305 million in outlays over current law, but these costs already are included in the CBO and administration baselines for fiscal year 1993.

Mr. President, last year, the committee learned from VA's testimony at our June 12, 1991, hearing on S. 775, our fiscal year 1992 compensation COLA bill, that OMB's fiscal year 1992 baseline assumed all veterans' compensation rate increases would be rounded down to the next-lower whole dollar. This would have had the effect of attributing direct-spending costs, which could have triggered a sequestration, to VA compensation-COLA legislation that provided for normal rounding to the nearest whole dollar. However, the Social Security and VA-pension COLA's, on which the increases in the rates of compensation are based, actually were just 3.7 percent—lower than the 5.2-percent estimate in the OMB baseline. This totally fortuitous circumstance enabled the Congress to enact a full, normally rounded COLA that avoided a sequester.

OMB's fiscal year 1992 baseline could have forced the Congress to make significant cuts in other programs to provide a full, normally rounded compensation COLA to service-disabled veterans and their survivors. If the OMB baseline accurately had predicted the 3.7-percent COLA for fiscal year 1992, enactment of a normally rounded 3.7-percent COLA would have been scored by OMB as exceeding the pay-as-you-go rule by \$21 million in fiscal year 1992 and almost \$25 million for each year thereafter, under OMB's rule. Each year's difference would be additive, so the OMB rule could have forced cuts of over \$230 million during fiscal years 1992 through 1995.

For reasons explained in the committee's report accompanying S. 775 last year, Senate Report No. 102-139, I believe the unilateral OMB policy violated the 1990 budget summit agreement. In order to overrule OMB's policy, a provision of S. 775 that I authored would have required OMB's baseline to assume normal rounding of the COLA for each compensation rate. The House has not yet acted on S. 775 due to provisions unrelated to the COLA-rounding issue. However, the House passed a substantively identical provision in an amendment to H.R. 2280 on November 25, 1991, but the Senate did not act on that bill, again due to provisions unrelated to the COLA-rounding issue.

Mr. President, I am pleased to note that Secretary Derwinski has confirmed that the President's fiscal year 1993 budget includes a proposed compensation COLA that assumes normal rounding. I believe that the attention that our Committee and the Senate focused on this issue last year was at least partially responsible for OMB's reversal on the COLA-rounding rule.

I also am pleased that the administration has not proposed legislation that it and the preceding administration previously advocated that would have diminished congressional control and oversight of the veterans' compensation COLA by indexing these benefits. On November 20, 1991, the Senate voted 71 to 24 against indexing the COLA.

Mr. President, I thank the ranking minority member of the committee, Senator SPECTER, and the other members of the committee for their support for S. 2322 and prompt Senate action on it.

Mr. President, I urge my colleagues to give their unanimous support to this measure.

Mr. SPECTER. Mr. President, as ranking Republican member of the Committee on Veterans' Affairs, and as an original cosponsor, I am pleased to support passage of S. 2322, a bill to provide a cost-of-living allowance for veterans receiving service-connected disability compensation and for surviving spouses receiving dependency and indemnity compensation [DIC]. The increase provided would be equal to that which will be paid to recipients of Social Security benefits, and would be effective December 1, 1992.

I believe that it is of the utmost importance that we provide a cost of living allowance for these beneficiaries to ensure that their benefits do not decrease. There can be no more important class of citizens than those who have suffered disabilities or who have lost spouse due to service to their country. Ensuring that compensation and DIC keep pace with the cost of living are among the most important missions of the Congress. Speaking as one who has had the honor to serve on the Veterans' Committee for nearly 12 years, I am pleased to note that we have consistently fought for annual increases in these vital benefits.

I am pleased, Mr. President, that we are able to keep our faith with these veterans and survivors. I look forward to rapid House and White House action so that these beneficiaries will see the increased rates in their January checks.

I urge my colleagues to support this important bill.

Mr. DOMENICI. Mr. President, I rise in support of S. 2322, the veterans' compensation cost-of-living adjustment. This legislation will provide our veterans, their spouses, children and dependent parents who are receiving compensation for service-connected disability or dependency and indemnity compensation with 3.7-percent increase in their monthly compensation checks.

Through this bill approximately 21,000 veterans and survivors in New Mexico and 2.2 million veterans nationally will receive increases in their compensation on a monthly basis.

This COLA is designed to increase the payment we give to veterans who

have suffered a loss in their earning capacity due to service-related injuries. This compensation also provides added income to survivors by making up for the loss of family income caused by the death or disability of a servicemember.

This COLA provided to veterans and their survivors is based on the Consumer Price Index [CPI] and will match increases given to Social Security recipients. Veterans and their families will receive an increase in their monthly checks beginning on December 1, 1992.

I am very pleased to understand this legislation does not have any extraneous provisions that might violate the budget agreement of 1990. I congratulate the chairman of the Veterans' Affairs Committee for producing a bill that does not contribute to our already burdensome deficit. Additionally, I am very pleased the Senate has been able to address this important issue in a timely manner, so we can assure our veterans their income will increase in December 1992.

Mr. President, it is crucial that we support our veterans—support those who have made such a tremendous sacrifice to keep our Nation safe and I certainly believe we are doing this through the passage of this veterans' COLA bill.

The PRESIDING OFFICER. The bill is open is further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

So the bill (S. 2322), as amended, was passed as follows:

S. 2322

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 1992".

**SEC. 2. DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION RATE INCREASES.**

(a) IN GENERAL.—(1) The Secretary of Veterans Affairs shall, as provided in paragraph (2), increase, effective December 1, 1992, the rates of and limitations on Department of Veterans Affairs disability compensation and dependency and indemnity compensation.

(2)(A) The Secretary shall increase each of the rates and limitations in sections 1114, 1115(1), 1162, 1311, 1313, and 1314 of title 38, United States Code, that were increased by the amendments made by the Veterans' Compensation Rate Amendments of 1991 (Public Law 102-152; 105 Stat. 985). The increase shall be made in such rates and limitations as in effect on November 30, 1992, and shall be by the same percentage that benefit amounts payable under title II of the Social

Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1992, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(B) In the computation of increased rates and limitations pursuant to subparagraph (A), amounts of \$0.50 or more shall be rounded to the next higher dollar amount and amounts of less than \$0.50 shall be rounded to the next lower dollar amount.

(b) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (2 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

(c) PUBLICATION REQUIREMENT.—At the same time as the matters specified in section 214(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(1) of such Act during fiscal year 1992, the Secretary shall publish in the Federal Register the rates and limitations referred to in subsection (a)(2)(A) as increased under this section.

Mr. BUMPERS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. SIMPSON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

**VETERANS HEALTH CARE AMENDMENTS OF 1992**

Mr. BUMPERS. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 2344.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House insist upon its amendment to the bill (S. 2344) entitled "An Act to improve the provision of health care and other services to veterans by the Department of Veterans Affairs, and for other purposes", and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BUMPERS. Mr. President, I move that the Senate disagree to the amendment of the House, agree to its request for a conference on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. CRANSTON, Mr. ROCKEFELLER, and Mr. SPENCER conferees on the part of the Senate.

(Subsequently, the following occurred.)

**ACTION ON MESSAGE FROM HOUSE VITIATED—S. 2344**

Mr. BUMPERS. Mr. President, I ask unanimous consent that we vitiate the action previously taken on the message from the House of Representatives on S. 2344, a bill relating to Veterans Health Care.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PREVENTING REDUCTION IN ADJUSTED COST OF THRIFTY FOOD PLAN**

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Agriculture Committee be discharged from further consideration of S. 3001, a bill to prevent the reduction in the adjusted cost of the thrifty food plan during fiscal year 1993, and that the Senate then proceed to its immediate consideration; that the bill be deemed read a third time, passed, and the motion to reconsider laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 3001) was deemed read a third time, and passed, as follows:

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. ADJUSTED COST OF THRIFTY FOOD PLAN.**

Section 3(o)(11) of the Food Stamp Act of 1977 (7 U.S.C. 2012(o)(11)) is amended by inserting before the period at the end of the following: " , except that on October 1, 1992, the Secretary may not reduce the cost of such diet".

Mr. DOLE. Mr. President, I commend the distinguished ranking member of the Budget Committee for moving quickly to hold fiscal year 1993 food stamp benefit levels harmless from the decrease in the cost of the thrifty food plan. Let me just underscore the need for this legislation.

Without this fix, millions of food stamp recipients will soon have their benefits cut due to the statutory requirement that benefits be adjusted each October based on the cost of the thrifty food plan in the previous June—which this year went down.

Those who would be hardest hit by this mandatory cut are large households—typically families with children—and households with zero income.

Mr. President, these households are among those most in need of this aid, and we owe it to them to move expeditiously to ensure that they do not face a drop in benefits.

**MEASURE PLACED ON CALENDAR—H.R. 5400**

Mr. BUMPERS. Mr. President, I ask unanimous consent that H.R. 5400, the Homeless Veterans Program bill, just received from the House, be placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

**EXPANDING MEMBERSHIP OF COMMISSION ON IMMIGRATION REFORM**

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of S. 3090, a bill to expand the membership of the Commission on Immigration Reform, introduced earlier today by Senator KENNEDY; that the bill be deemed read the third time, passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 3090) was deemed read a third time, and passed, as follows:

S. 3090

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. MEMBERSHIP OF THE COMMISSION ON IMMIGRATION REFORM.**

Section 141(a)(1) of the Immigration Act of 1990 (8 U.S.C. 1153 note) is amended—

(1) in the text above subparagraph (A), by striking "Effective" and all that follows through "9 members" and inserting "The Commission on Immigration Reform (hereafter in this section referred to as the 'Commission') shall be composed of 13 members";

(2) in paragraph (1)(B), by striking "Two" and inserting "Three";

(3) in paragraph (1)(C), by striking "Two" and inserting "Three";

(4) in paragraph (1)(D), by striking "Two" and inserting "Three";

(5) in paragraph (1)(E), by striking "Two" and inserting "Three";

**SEC. 2. SPECIAL IMMIGRANT STATUS FOR CERTAIN ALIENS EMPLOYED ABROAD.**

Private Law 98-53 (8 U.S.C. 1101 note) is amended—

(1) in the title, by inserting "or by Beirut University College" after "Beirut"; and

(2) in the text, by inserting before the period at the end thereof the following: "or by Beirut University College".

**SUBSTITUTION OF CONFeree ON S. 1671**

Mr. BUMPERS. Mr. President, I ask unanimous consent that the name of Senator CRAIG be substituted for that of Senator COATS as a conferee on S. 1671.

The PRESIDING OFFICER. Without objection, it is so ordered.

**ORDER OF PROCEDURE**

Mr. BUMPERS. Mr. President, I ask unanimous consent that Senator GORTON be recognized to address the Senate for up to 10 minutes, and that at the conclusion of his remarks, the Senate stand in recess as ordered.

Mr. SIMPSON. I shall not object. I commend the Senator from Arkansas for his floor managership of the bill. It was very effectively done. He is a very efficient pinch hitter—and better as a principal hitter—and does a beautiful job with his work in the U.S. Senate. I have learned much from him in my time here. He was very helpful to me when I came here in 1979, and it is good to see him doing his legislative activity.

Mr. BUMPERS. Mr. President, the Senator from Wyoming is more than

gracious, and I thank him sincerely for those kind comments.

Mr. President, I ask unanimous consent that the Senator from Washington be recognized for 10 minutes at the conclusion of which the Senate will stand in recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington [Mr. GORTON], is recognized for 10 minutes.

Mr. GORTON. I thank the Chair.

(The remarks of Mr. GORTON pertaining to the introduction of S. 3091 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

**MESSAGES FROM THE PRESIDENT**

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

**EXECUTIVE MESSAGES REFERRED**

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees, and a treaty.

(The nominations and treaty received today are printed at the end of the Senate proceedings.)

**MESSAGE FROM THE HOUSE**

At 10:28 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills and joint resolution:

H.R. 4312: An act to amend the Voting Rights Act of 1965 with respect to bilingual election requirements;

H.R. 5503: An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes; and

S.J. Res. 92: A joint resolution to designate July 28, 1992, as "Buffalo Soldiers Day".

At 4:10 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills and joint resolution:

H.R. 711: An act to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Company;

H.R. 1168: An act to provide that for taxable years beginning before 1980 the Federal income tax deductibility of flight training expenses shall be determined without regard to whether such expenses were reimbursed through certain veterans educational assistance allowances;

H.R. 1182: An act to authorize and direct the exchange of lands of Colorado.

H.R. 3537: An act to direct the Secretary of Transportation to establish a Civil Tiltrotor Development Advisory Committee in the Department of Transportation, and for other purposes;

H.R. 3898: An act to provide for the addition of the Truman Farm House to the Harry S. Truman National Historic Site in the State of Missouri;

H.R. 4004: An act to assist in the development of tribal judicial systems, and for other purposes;

H.R. 4026: An act to formulate a plan for the management of natural and cultural resources on the Zuni Indian Reservation, on the lands of the Ramah Band of the Navajo Tribe of Indians, and the Navajo Nation, and in other areas within the Zuni River watershed and upstream from the Zuni Indian Reservation, and for other purposes;

H.R. 4085: An act to amend the Act of August 7, 1961, establishing the Cape Cod National Seashore, and for other purposes;

H.R. 4370: An act to provide for the protection of the Bodie Bowl area of the State of California, and for other purposes;

H.R. 4382: An act to modify the boundaries of the New River Gorge National River, Gauley River National Recreational Area, and the Bluestone National Scenic River in West Virginia;

H.R. 4437: An act to provide that a certain project on the Pine River in Michigan, is not subject to part 1 of the Federal Power Act;

H.R. 5291: An act to provide for the temporary use of certain lands in the city of South Gate, California, for elementary school purposes;

H.R. 5400: An act to establish in the Department of Veterans Affairs a program of comprehensive services for homeless veterans;

H.R. 5465: An act to amend title XIII of the Federal Aviation Act of 1958 relating to aviation insurance;

H.R. 5566: An act to provide additional time to negotiate settlement of a land dispute in South Carolina;

H.R. 5636: An act to amend the Internal Revenue Code of 1986 to ensure that charitable beneficiaries of charitable remainder trusts are aware of their interests in such trusts;

H.R. 5637: An act to amend the Internal Revenue Code of 1986 to clarify the treatment of certain buildings under the rehabilitation credit, and for other purposes;

H.R. 5638: An act to amend the Internal Revenue Code of 1986 to permit losses on sales of certain prior principal residences to offset gain on a subsequent sale of a principal residence;

H.R. 5639: An act to permit tax-exempt bonds to be issued to finance office buildings for the United Nations;

H.R. 5640: An act to amend the Internal Revenue Code of 1986 to modify the involuntary conversion rules for certain disaster-related conversions;

H.R. 5651: An act to provide for the payment of retirement and survivor annuities to certain ex-spouses of employees of the Central Intelligence Agency and to provide for the tax treatment of certain disability benefits; and

S.J. Res. 310: A joint resolution to designate August 1, 1992, as "Helsinki Human Rights Day";

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 2079: An act to establish the Marsh-Billings National Historical Park in the State of Vermont, and for other purposes.

## MEASURES REFERRED

The following bills were read the first and second times, and referred as indicated:

H.R. 711. An act to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Company; to the Committee on Energy and Natural Resources;

H.R. 1168. An act to provide that for taxable years beginning before 1980 the Federal income tax deductibility of flight training expenses shall be determined without regard to whether such expenses were reimbursed through certain veterans educational assistance allowances; to the Committee on Finance;

H.R. 1182. An act to authorize and direct the exchange of lands of Colorado; to the Committee on Energy and Natural Resources;

H.R. 3537. An act to direct the Secretary of Transportation to establish a Civil Tiltrotor Development Advisory Committee in the Department of Transportation, and for other purposes; to the Committee on Commerce, Science and Transportation;

H.R. 3898. An act to provide for the addition of the Truman Farm House to the Harry S Truman National Historic Site in the State of Missouri; to the Committee on Energy and Natural Resources;

H.R. 4085. An act to amend the Act of August 7, 1961, establishing the Cape Cod National Seashore, and for other purposes; to the Committee on Energy and Natural Resources;

H.R. 4370. An act to provide for the protection of the Bodie Bowl area of the State of California, and for other purposes; to the Committee on Energy and Natural Resources;

H.R. 4382. An act to modify the boundaries of the New River Gorge National River, Gauley River National Recreation Area, and the Bluestone National Scenic River in West Virginia; to the Committee on Energy and Natural Resources;

H.R. 5291. An act to provide for the temporary use of certain lands in the city of South Gate, California, for elementary school purposes; to the Committee on Energy and Natural Resources;

H.R. 5503. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes; to the Committee on Appropriations;

H.R. 5636. An act to amend the Internal Revenue Code of 1986 to ensure that charitable beneficiaries of charitable remainder trusts are aware of their interests in such trusts; to the Committee on Finance;

H.R. 5637. An act to amend the Internal Revenue Code of 1986 to clarify the treatment of certain buildings under the rehabilitation credit, and for other purposes; to the Committee on Finance;

H.R. 5638. An act to amend the Internal Revenue Code of 1986 to permit losses on sales of certain prior principal residences to offset gain on a subsequent sale of a principal residence; to the Committee on Finance;

H.R. 5639. An act to permit tax-exempt bonds to be issued to finance office buildings for the United Nations; to the Committee on Finance;

H.R. 5640. An act to amend the Internal Revenue Code of 1986 to modify the involuntary conversion rules for certain disaster-related conversions; to the Committee on Finance; and

H.R. 5651. An act to provide for the payment of retirement and survivor annuities to certain ex-spouses of employees of the Central Intelligence Agency and to provide for the tax treatment of certain disability benefits; to the Committee on Finance.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3699. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation; to the Committee on the Budget.

EC-3700. A communication from the President of the United States, transmitting a draft of proposed legislation to designate certain lands in the State of Wyoming as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

EC-3701. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, a report of building project survey for Atlanta, GA; to the Committee on Environment and Public Works.

EC-3702. A communication from Chief Judge of the United States Court of Veterans Appeals, transmitting, pursuant to law, the actuarial report for the year ending December 31, 1991, for the United States Court of Appeals; to the Committee on Governmental Affairs.

EC-3703. A communication from the Chairman of the Council of the District of Columbia, transmitting, copies of D.C. Act 9-263 adopted by the Council on July 7, 1992; to the Committee on Governmental Affairs.

EC-3704. A communication from the Chairman of the Council of the District of Columbia, transmitting, copies of D.C. Act 9-264 adopted by the Council on July 7, 1992; to the Committee on Governmental Affairs.

EC-3705. A communication from the Chairman of the Council of the District of Columbia, transmitting, copies of D.C. Act 9-265 adopted by the Council on July 7, 1992; to the Committee on Governmental Affairs.

EC-3706. A communication from the Chairman of the Council of the District of Columbia, transmitting, copies of D.C. Act 9-266 adopted by the Council on July 7, 1992; to the Committee on Governmental Affairs.

EC-3707. A communication from the Chairman of the Council of the District of Columbia, transmitting, copies of D.C. Act 9-267 adopted by the Council on July 7, 1992; to the Committee on Governmental Affairs.

EC-3708. A communication from the Chairman of the Council of the District of Columbia, transmitting, copies of D.C. Act 9-268 adopted by the Council on July 7, 1992; to the Committee on Governmental Affairs.

EC-3709. A communication from the Chairman of the Council of the District of Columbia, transmitting, copies of D.C. Act 9-269 adopted by the Council on July 7, 1992; to the Committee on Governmental Affairs.

EC-3710. A communication from the Chairman of the Council of the District of Columbia, transmitting, copies of D.C. Act 9-270 adopted by the Council on July 7, 1992; to the Committee on Governmental Affairs.

EC-3711. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, copies of D.C. Act 9-271 adopted by the Council on July 7, 1992; to the Committee on Governmental Affairs.

EC-3712. A communication from the Secretary of Labor, transmitting, pursuant to law, a report entitled "Notice of Final Priority for Fiscal Years 1992 and 1993—Dwight D. Eisenhower National Program for Mathematics and Science Education—State Curriculum Frameworks for Mathematics and Science"; to the Committee on Labor and Human Resources.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-454. A joint resolution adopted by the Legislature of the State of Alaska favoring increased funding for the Women, Infants, and Children Program so that it is available to all eligible persons; to the Committee on Appropriations.

## "JOINT RESOLUTION

"Whereas the Federal Women, Infants, and Children Program (WIC) provides medical care and nutritious supplemental food to women and children, including prenatal care to pregnant women; and

"Whereas WIC's supplemental food and medical care give children the healthy start they need to learn well in school and achieve their full potential as human beings; and

"Whereas WIC's early prenatal care for pregnant women significantly improves pregnancy outcomes, decreasing the number of fetal deaths that might otherwise occur and averting low-birth-weight babies who would otherwise get off to a slow start in life; and

"Whereas WIC is highly cost effective in the long run because healthy, educated children can become the productive citizens our country needs to remain competitive in an increasingly international economy; and

"Whereas WIC is also highly cost effective in the short run because low-birth-weight babies and malnourished children would require more expensive health care under other public assistance programs; and

"Whereas WIC currently serves only 9,174 of the estimated 25,821 potentially eligible women, infants, and children in Alaska; and

"Whereas Alaska has one of the highest infant mortality rates in the country; and

"Whereas food costs in Alaska are high, especially in rural areas, so that WIC dollars based on current allocations from insufficient funds can serve fewer participants compared to other states; and

"Whereas the Congress, through the work of the Budget and Appropriations Committees, has been regularly increasing WIC funding levels, but this year's funding level will still serve only 54 percent of those who are eligible nationwide, leaving 4,000,000 women, infants, and children without the benefits of the program; and

"Whereas the Bush Administration has recommended further increases in WIC funding for fiscal year 1992 but the program would still be grossly underfunded; and

"Whereas full funding of WIC is an important cornerstone in building toward the national goal of ensuring that, by the year 2000, all children should start school ready to learn; be it

"Resolved that the Alaska State Legislature commends the Administration and the Congress for their prior actions that have increased funding for WIC; and be it

"Further resolved that the legislature strongly urges the Administration and the Congress to continue to invest in our future by increasing WIC funding so that all eligible women, infants, and children will be served no later than fiscal year 1995.

"Copies of this resolution shall be sent to the Honorable Dan Quayle, Vice-President of the United States and President of the U.S. Senate; the Honorable Robert C. Byrd, President Pro Tempore of the U.S. Senate and Chair of the U.S. Senate Committee on Appropriations; the Honorable George Mitchell, Majority Leader of the U.S. Senate; the Honorable Thomas S. Foley, Speaker of the U.S. House of Representatives; the Honorable Patrick J. Leahy, Chair of the U.S. Senate Committee on Agriculture, Nutrition, and Forestry; the Honorable Edward M. Kennedy, Chair of the U.S. Senate Committee on Labor and Human Resources; the Honorable E (Kika) de la Garza, Chair of the U.S. House Committee on Agriculture; the Honorable Jamie L. Whitten, Chair of the U.S. House Committee on Appropriations; the Honorable William D. Ford, Chair of the U.S. House Committee on Education and Labor; the Honorable George Miller, Chair of the U.S. House Committee on Children, Youth, and Families; the Honorable Tony P. Hall, Chair of the U.S. House Committee on Hunger; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress."

POM-455. A committee substitute adopted by the Legislature of the State of Alaska for House Joint Resolution No. 62 supporting Guam in its quest for commonwealth status; to the Committee on Energy and Natural Resources.

#### "HOUSE JOINT RESOLUTION

"Whereas the United States is recognized as the world leader in stimulating the pursuit of global democracy; and

"Whereas the United States supports the extension of self-determination to all peoples, especially to those in territories under its jurisdiction; and

"Whereas the Alaska State Legislature supports the search by each territory governed by the United States for the political standing best suited to its people; and

"Whereas the citizens of the Territory of Alaska fought long and hard for their own self-determination within the United States and eventually achieved it in 1959 with statehood; and

"Whereas Alaskans recognize and identify with the desire of the people of Guam to determine their own political, social, and economic future; and

"Whereas the Territory of Guam is attempting to establish a just political relationship between the people of Guam and the United States and is trying to allow its people to participate in this attempt; and

"Whereas the Guam Territorial Legislature has obtained introduction of the Commonwealth Act of Guam in the United States Congress that would accord the Territory commonwealth status; and

"Whereas there is growing support for providing commonwealth status for Guam, as evidenced by the policy statements and resolutions of various national groups, including members of Congress and the current administration, the National Governors Association, the National Conference of State Legislatures, the Western Legislative Conference, and the United States Conference of Mayors; and

"Whereas the people of Guam are citizens of the United States and should be given all the rights afforded citizens in the United States Constitution;

"Be it resolved that the Alaska State Legislature supports the people of Guam's efforts to achieve commonwealth status and a just and permanent relationship with the United States; and

"Further resolved that the Alaska State Legislature urges the United States government to allow the people of Guam to determine their own political, social and economic future while retaining the protection of the U.S. Constitution.

"Copies of this resolution shall be sent to the Honorable George Bush, President of the United States; the Honorable Dan Quayle, Vice-President of the United States and President of the U.S. Senate; the Honorable Thomas S. Foley, Speaker of the U.S. House of Representatives; the Honorable George J. Mitchell, Majority Leader of the U.S. Senate; the Honorable J. Bennett Johnston, Chair of the Senate Committee on Energy and Natural Resources; the Honorable George Miller, Chair of the House Committee on Interior and Insular Affairs; the Honorable James A. Baker, III, Secretary of State; the Honorable Manuel Lujan, Jr., Secretary of the Interior; the Honorable Joe T. San Augustin, Speaker of the Twenty-First Guam Unicameral Legislature; the Honorable Joseph F. Ada, Governor of Guam and Chair of the Guam Commission of Self-Determination; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress."

POM-456. A joint resolution adopted by the Legislature of the State of Maine favoring legal availability of RU-486 for appropriate research and, if indicated, clinical practice; to the Committee on Labor and Human Resources.

#### "JOINT RESOLUTION

"Whereas, the antiprogesterone steroid, mifepristone, known as RU-486, has been approved and available in France since November 1988; and

"Whereas, RU-486 may be used to promote normal delivery in childbirth, reducing the need to perform Caesarean sections; and

"Whereas, the medical community has identified RU-486 as an important treatment for illnesses, including breast and brain cancer, gynecological malignancies, osteoporosis, Cushing's disease and other serious conditions; and

"Whereas, the American Medical Association, the American Public Health Association, the American College of Obstetricians and Gynecologists and the American Association for the Advancement of Science have formally recognized the importance of RU-486 and support the testing of RU-486 in the United States; and

"Whereas, RU-486 has been developed and tested in Europe and has been shown to be an efficacious and safe means of terminating early pregnancy when administered orally early in pregnancy by an appropriately trained physician; and

"Whereas, the use of such a medication for terminating early pregnancy constitutes a potentially significant medical and public health gain in terms of cost, efficacy, safety, ease of use and privacy of the physician-patient relationship; and

"Whereas, it is in keeping with basic medical standards to avoid surgical procedures whenever an equally effective noninvasive alternative is available; and

"Whereas, medical research that involves this technology has been stalled because of political biases that overshadow the drug's benefits in treating diseases that are killing American women and men; and

"Whereas, the Food and Drug Administration's import alert against RU-486 has thwarted the availability of RU-486 in the few scientific research studies conducted in the United States; and

"Whereas, all American citizens are entitled to the best medical research and this drug may be the solution to many serious conditions affecting the nation's health; and

"Whereas, the introduction of RU-486 into the United States should now be encouraged for its significant medical value; now, therefore, be it

"Resolved: That We, your Memorialists, respectfully recommend and urge the President and Congress of the United States to support the legal availability of RU-486 for appropriate research and, if indicated, clinical practice; and be it further

"Resolved: That suitable copies of this joint resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George H.W. Bush, President of the United States; the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States; each Member of the Maine Congressional Delegation; the manufacturers of RU-486, Roussel UCLAF, 35 Boulevard des Invalides 75007, Paris, France; and the Food and Drug Administration."

POM-457. A committee substitute adopted by the Legislature of the State of Alaska for committee substitute for house Joint Resolution No. 41 relating to missing American service personnel; to the Select Committee on POW/MIA.

#### "HOUSE JOINT RESOLUTION

"Whereas there are more than 88,000 American service personnel missing in action from World War II, the Korean War, and the Vietnam conflict; and

"Whereas recent information has been released regarding American service personnel held against their will after World War II, the Korean War, and the Vietnam conflict; and

"Whereas on April 12, 1973, the United States Department of Defense publicly stated that there was no evidence of live American prisoners of war in Southeast Asia; and

"Whereas the public statement was given nine days after Pathet Lao leaders had declared that Laotian communist forces did in fact have live American prisoners of war in their control; and

"Whereas the prisoners of war held by the Laotian government and its military forces were never released; and

"Whereas there have been more than 11,700 live sighting reports received by the Department of Defense since 1973 and, after detailed analysis, the Department of Defense admits there are a number of unresolved and discrepancy cases; and

"Whereas there is conjecture that congressional inquiries into the POW/MIA issue have been hampered by information that was concealed from committee members or that was misinterpreted or manipulated in government files; and

"Whereas the POW/MIA Truth Bill has been introduced into the United States Congress, and the bill would direct the heads of the Federal government agencies and departments to disclose information concerning the United States service personnel classified as prisoners of war or missing in action

from World War II, the Korean War, and the Vietnam conflict; and

"Whereas the bill protects national security by censoring the sources and methods used to collect the live sighting reports; and

"Whereas the families of these missing service personnel need and deserve the opportunity to have access to the information concerning the status of their loved ones; and

"Whereas the Senate Select Committee on POW/MIA Affairs has been established in the United States Congress to resolve the POW/MIA issue;

"Be it resolved that the Alaska State Legislature urges the United States Congress to oppose lifting trade embargoes, lifting economic sanctions, and normalizing affairs with Vietnam and Laos until the Congress resolves the POW/MIA issue in Southeast Asia based on the recommendations of the Senate Select Committee on POW/MIA Affairs; and be it

"Further resolved that the Alaska State Legislature urges the United States Congress to begin committee hearings immediately to consider enacting the POW/MIA Truth Bill; and be it

"Further resolved that the Alaska State Legislature requests the United States Congress to continue funding its investigation into the status of missing American service personnel, which is vital to resolving the POW/MIA issue.

"Copies of this resolution shall be sent to the Honorable George Bush, President of the United States, the Honorable Dan Quayle, Vice-President of the United States and President of the U.S. Senate; the Honorable Robert C. Byrd, President Pro Tempore of the U.S. Senate; the Honorable George J. Mitchell, Majority Leader of the U.S. Senate; the Honorable Thomas S. Foley, Speaker of the House of Representatives; the Honorable Richard A. Gephardt, Majority Leader of the U.S. House of Representatives; the Honorable Robert Dole, Minority Leader of the U.S. Senate; the Honorable William S. Broomfield, Minority Leader of the House of Representatives; the Honorable Claiborne Pell, Chair of the Senate Committee on Foreign Relations; the Honorable Dante B. Fascell, Chair of the House Committee on Foreign Affairs; the Honorable John F. Kerry, Chair of the Senate Select Committee on POW/MIA Affairs; the Honorable Robert C. Smith, Vice-Chair of the Select Committee on POW/MIA Affairs; the Honorable John Miller, U.S. Representative; the Honorable James A. Baker, III, Secretary of the U.S. Department of State; the Honorable Dick Cheney, Secretary of the U.S. Department of Defense; the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and to the Honorable Jerry W. Hefner, Chair of the Oklahoma House Veterans Affairs Committee."

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. METZENBAUM (for himself, Mr. ADAMS, Mr. AKAKA, Mr. WELLSTONE, Mr. WIRTH, Mr. CRANSTON, Mr. KENNEDY, Mr. HARKIN, and Mr. KERRY):

S. 3084. A bill to prohibit discrimination by the Armed Forces on the basis of sexual ori-

entation; to the Committee on Armed Services.

By Mr. ROTH:

S. 3085. A bill to amend the Internal Revenue Code of 1986 to provide that amounts in individual retirement plans not be counted in determining eligibility for aid to families with dependent children, to allow withdrawals from such plans to pay for higher education expenses, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3086. A bill to encourage the development of mentoring programs that link children in high crime areas with law enforcement officers and other responsible adults; to the Committee on the Judiciary.

By Mr. PRYOR (for himself, Mr. COHEN, Mr. REID, Mr. RIEGLE, Mr. GRASSLEY, Mr. GLENN, and Mr. SHELBY):

S. 3087. A bill to amend the Social Security Act to improve and clarify provisions prohibiting misuse of symbols, emblems, or names in reference to Social Security, Supplemental Security Income, Medicare, Medicaid, or the Department of Health and Human Services; to the Committee on Finance.

By Mr. KENNEDY (for himself, Mr. SIMON, Mr. ADAMS, Mr. INOUE, Mr. BRADLEY, Mr. AKAKA, Mr. GLENN, Mr. PELL, Mr. WELLSTONE, Mr. KERRY, Mr. METZENBAUM, and Mr. KOHL):

S. 3088. A bill to amend the Public Health Service Act to establish a program to provide grants to improve the quality and availability of comprehensive education, health and social services for at-risk youth and their families, and for other purposes; to the Committee on Labor and Human Resources.

By Mrs. KASSEBAUM:

S. 3089. A bill to provide relief for public agencies from liability under the Fair Labor Standards Act of 1938 for failure to pay exempt employees on a salary basis, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. KENNEDY:

S. 3090. A bill to expand the membership of the Commission on Immigration Reform, and for other purposes; considered and passed.

By Mr. GORTON (for himself, Mr. CRAIG, Mr. NUNN, Mr. BROWN, Mr. MCCAIN, Mr. DECONCINI, Mr. NICKLES, Mr. REID, Mr. MCCONNELL, Mr. WARNER, Mr. BOND, Mr. GRASSLEY, and Mr. SHELBY):

S. 3091. A bill to amend the Public Health Service Act to establish a program to fund maternity home expenses and improve programs for the collection and disclosure of adoption information, and for other purposes; to the Committee on Labor and Human Resources.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROTH:

S. 3085. A bill to amend the Internal Revenue Code of 1986 to provide that amounts in individual retirement plans not be counted in determining eligibility for aid to families with dependent children, to allow withdrawals from such plans to pay for higher education expenses, and for other purposes; to the Committee on Finance.

##### INDIVIDUAL RETIREMENT PLANS ACT

Mr. ROTH. Mr. President, I am introducing a bill today to offer a different approach to solving the welfare trap

that people like Sandra Rosado have found themselves in. People may remember the stories in the papers from last May about Sandra. She is the oldest daughter of Cecilia Mercado, a mother of eight children, ages 5 to 20, all of whom live with her in subsidized housing and receive Aid to Families With Dependent Children [AFDC].

Sandra dreamed of going to college to become a teacher, and by working after school at a local community center she was beginning to make the dream come true. She managed to save \$4,964.11 that she would use toward her college expenses. But, a stiff penalty from the Connecticut commissioner of income maintenance not only caused her to lose her savings, but also cost her mother over \$9,000 in benefits because the family had violated the federal AFDC eligibility rules that limit their assets to \$1,000.

The testimony before the Finance Committee, Secretary Kemp has indicated the administration's support for an increase in the \$1,000 savings limit to a much higher amount of \$10,000. Cases like the Rosado case certainly cause us to realize how the current system acts to limit economic growth and individual ambition. But frankly, many Americans might have problems with allowing people who are receiving public assistance payments to save up to \$10,000, when the taxpayers are unable to save that much, if anything, on their own. In fact, some taxpayers may feel that a family with \$10,000 in the bank on AFDC is rich, indeed.

But no one will argue with the desire to get people out of the welfare trap. I wholeheartedly agree with the need to increase incentives so that people will pull themselves out of the trap, with some well placed help, if necessary. That is why I am introducing this new bill today. I believe it better addresses the concerns that we all have, without allowing the taxpayer to lose confidence in the system.

This new bill will allow people like Sandra Rosado to save for their college education, but, by the same token, it will not allow savings for other frivolous things that a family might choose to spend their money on. The savings would have to be placed in an IRA account, and withdrawals could be made penalty free for college expenses. Thus the effect is the same, but the government still is able to control how the savings is spent if a family save more than \$1,000. I believe there are other possibilities that should be explored, but I also think that the IRA is the only universal savings vehicle with the necessary limits to address the problems for both AFDC recipients and the taxpayer.

I also think it would be worthwhile to consider legislation to allow the states to elect to create a savings fund for these monies with limited withdrawals on a case by case basis, as de-

terminated by the state. I also think we should consider stronger penalties than the 10-percent penalty on early withdrawals, if the money is withdrawn early for purposes other than education. I hope that the Finance Committee will address these issues and more when it moves to markup H.R. 11 this week, and later as we move on to conference on the bill. I am encouraged that the chairman will keep these views in mind as we proceed, and I look forward to working with him on these ideas. I ask unanimous consent that a copy of a New York Times article regarding this issue be included in the RECORD, together with a copy of the bill.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

**WELFARE'S LIMIT ON SAVINGS FOILS ONE BID TO BREAK CYCLE**

(By Constance L. Hays)

NEW HAVEN, May 13.—Working part time at a community center, Sandra Rosado saved \$4,900 to go to college and to escape the web of welfare that is all her family has known since they moved here 12 years ago.

But her thrift and industry have led to a bureaucratic nightmare for Miss Rosado and her family. First state officials, who discovered her savings account, told her mother to spend the money so the family could remain eligible for the Aid to Families with Dependent Children program. Then Federal authorities ordered the mother, Cecilia Mercado, to repay \$9,342 in benefits she received while her daughter's money was in the bank.

The case, which has been in and out of state courts as Mrs. Mercado challenged the order, highlights what critics across the political spectrum say is a major flaw in American social policy toward the poor—a rule that limits a welfare family's assets.

Under Federal law, people who receive assistance under the Aid to Families with Dependent Children program become ineligible if their assets exceed \$1,000. Such assets include property, like cars, and children's bank accounts.

"The rationale is that the public shouldn't be supporting families that have their own resources," said Michael Sherraden, an associate professor of social work at Washington University in St. Louis, whose 1991 book, "Assets and the Poor," has been cited by Housing Secretary Jack Kemp and others seeking new ways to alleviate poverty. "But it's a very short-sighted policy. Savings are the way that families get out of poverty. So this policy doesn't make much sense."

In budget recommendations announced since the Los Angeles riots, President Bush has proposed raising the asset limits to \$10,000 for families already receiving family aid. The current limit was established in 1981. The President also proposed setting up escrow accounts, which families would receive once they got off family assistance. Such a plan represents "the beginnings of a new and different approach to help families achieve self sufficiency," the budget states.

Other critics of the welfare system say asset limits are minor compared with the amount of cheating that the system encourages. "The bottom line has a lot more to do with the fundamental nature of the system, which pays people a maximum benefit for having zero income, and every step they take away from zero reduces their benefits," said

Robert Rector, a welfare-policy analyst for the Heritage Foundation in Washington.

**Perfume Instead of College**

Most welfare programs set asset limits. But those limits often do not recognize fiscal realities, and, as in the case of Miss Rosado and her brother, Angel, who had saved another \$900, discourage people from breaking away from their dependency on public assistance.

"Here you have a situation where other children would have been commended for what these kids did," said Joanne G. Gibau, the New Haven Legal Assistance lawyer who represented Miss Rosado's mother in court. "They went to school full-time. They worked part time. And they saved their money. The sad part of this is, Sandra wasn't able to use this money for the purpose she had intended."

Instead of spending her savings on college, Miss Rosado bought clothes, jewelry, shoes and perfume, her mother said. "The state told us to spend it," she said. Then, when the order for repayment arrived, "I was very shocked," she said. "I wasn't intentionally cheating, because I didn't know about those bank accounts." Mrs. Mercado has eight children, all of whom live with her in subsidized housing. Sandra, at 20, is the oldest; the youngest is 5.

Miss Rosado was upset by what happened. "I worked a lot of hours for that money," she said. Her job was at a neighborhood community center here, supervising after-school basketball games and running a small candy store. "I have friends who used to get money and spend it on other things. It was tempting. But I knew I had a dream I wanted to fulfill."

Mrs. Mercado won the case she brought against the state's Commissioner of Income Maintenance at the trial court level, and the state appealed. This week the State Supreme Court, Connecticut's highest court, ruled against Mrs. Mercado, meaning she must somehow come up with the money the Government says she owes.

Ms. Gibau is seeking a waiver from the Federal Government on the repayment, but others say that may be difficult. "It is much more problematic to apply retroactively for some kind of waiver," said the state Attorney General, Richard Blumenthal, whose office argued the case for the state. He added: "Whatever the injustice or lack of merit that may be perceived in the law, it is a task for Congress, not the courts, to correct it."

Will Marshall, president of the Progressive Policy Institute, a Washington research organization, said: "We've got to get rid of these perverse policies that penalize poor people when they exercise personal initiative and responsibility. One of the themes that's emerging is that we have to look at the poor as just like everybody else. It's ironic that we're willing to lavish incentives like tax deductions for home buying on middle-class people, on the assumption that they'll take advantage of them. It's true, but it's also true for the poor."

Miss Rosado did enroll in South Central Community College here last fall after getting a scholarship and a grant. Ms. Gibau said, awarded for good grades. She is the first person in her family to go to college.

In an interview this week, as children shrieked and basketballs bounced around her, Miss Rosado said she hoped to become a teacher.

And she added that she thought the law was unfair. "They should let students that are graduating save up money, if they have dreams to go to college," she said.

S. 3085

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. DISREGARD OF IRAS FOR AFDC ELIGIBILITY**

(a) DISREGARD AS RESOURCE.—Subparagraph (B) of section 402(a)(7) of the Social Security Act (42 U.S.C. 602(a)(7)) is amended—

(1) by striking "or" before "(iv)", and

(2) by inserting "or (v) any amount in an individual retirement plan (as defined in section 7701(a)(37) of the Internal Revenue Code of 1986) of an individual of such family" before "and"; and

(b) DISREGARD AS INCOME.—Subparagraph (A) of section 402(a)(8) of the Social Security Act (42 U.S.C. 602(a)(8)) is amended—

(1) by striking "and" at the end of clause (vii), and

(2) by inserting after clause (viii) the following new clause:

"(ix) shall disregard any distributions from any individual retirement plan (as defined in section 7701(a)(37) of the Internal Revenue Code of 1986) made to a family receiving aid to families with dependent children; and"

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1992.

**SEC. 2. DISTRIBUTIONS FROM CERTAIN PLANS MAY BE USED WITHOUT PENALTY TO PAY HIGHER EDUCATION.**

(a) IN GENERAL.—Paragraph (2) of section 72(t) of the Internal Revenue Code of 1986 (relating to exceptions to 10-percent additional tax on early distributions from qualified retirement plans) is amended by adding at the end thereof the following new subparagraph:

"(D) DISTRIBUTIONS FROM CERTAIN PLANS FOR EDUCATIONAL EXPENSES.—Distributions to an individual from an individual retirement plan, or from amounts attributable to employer contributions made pursuant to elective deferrals described in subparagraph (A) or (C) of section 402(g)(3) or section 501(c)(18)(D)(iii), to the extent such distributions do not exceed the qualified higher education expenses (as defined in paragraph (6)) of the taxpayer for the taxable year."

(b) DEFINITIONS.—Section 72(t) of such Code is amended by adding at the end thereof the following new paragraph:

"(6) QUALIFIED HIGHER EDUCATION EXPENSES.—For purposes of paragraph (2)(D)(ii)—

"(A) IN GENERAL.—The term 'qualified higher education expenses' means tuition, fees, books, supplies, and equipment required for the enrollment or attendance of—

"(i) the taxpayer,

"(ii) the taxpayer's spouse, or

"(iii) the taxpayer's child (as defined in section 151(c)(3)) or grandchild,

at an eligible educational institution (as defined in section 135(c)(3)).

"(B) COORDINATION WITH SAVINGS BOND PROVISIONS.—The amount of qualified higher education expenses for any taxable year shall be reduced by any amount excludable from gross income under section 135."

(c) CONFORMING AMENDMENTS.—

(1) Section 401(k)(2)(B)(1) of such Code is amended by striking "or" at the end of subclause (III), by striking "and" at the end of subclause (IV) and inserting "or", and by inserting after subclause (IV) the following new subclause:

"(V) the date on which distributions for qualified higher education expenses (as defined in section 72(t)(6)) are made, and"

(2) Section 403(b)(11) of such Code is amended by striking "or" at the end of subparagraph (A), by striking the period at the end

of subparagraph (B) and inserting " , or " , and by inserting after subparagraph (B) the following new subparagraph:

"(C) for the payment of qualified higher education expenses (as defined in section 72(t)(6))."

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to payments and distributions after the date of the enactment of this Act.

By Mr. LAUTENBERG:

S. 3086. A bill to encourage the development of mentoring programs that link children in high-crime areas with law enforcement officers and other responsible adults; to the Committee on the Judiciary.

JUVENILE MENTORING PROGRAM (JUMP) ACT

• Mr. LAUTENBERG. Mr. President, today I am introducing legislation, the Juvenile Mentoring Program Act, or JUMP, to encourage the development of mentoring programs that link children in high-crime areas with law enforcement officers and other responsible adults.

Under the proposal, the Administrator of the Office of Juvenile Justice and Delinquency Prevention would consider applications from local educational agencies and nonprofit groups. Applicants would compete for grants based on the quality of their proposed mentoring plans and their ability to implement them. Recipients could use funds to hire mentoring coordinators and support staff, to recruit, screen, and train adult mentors, and to reimburse mentors for reasonable incidental expenditures directly associated with mentoring. The program would be authorized at \$50 million per year.

Mr. President, too many young people today are growing up in environments bereft of hope. They live surrounded by violence and drug dealers. They attend second-rate schools that don't prepare them to function in our economy. And they have few responsible adults to take care of them, to lead them in the right direction.

Clearly, Mr. President, there is no magic answer to the problems of these youth. We need systemic improvements in our schools, more jobs, and better job training. But, Mr. President, we also have to work on a smaller scale—one by one, child by child. That's where mentoring can make an enormous difference.

Mr. President, I'm personally involved in a program known as I Have a Dream. The program puts responsible adults together with economically disadvantaged children, to give them the guidance and assistance they need, but so often lack. In addition, the program promises children that, if they do well, their college education will be paid for. Similarly, under this legislation, preference will be given to applicants who would provide participating youth with opportunities for job training or post-secondary education.

I also have personally been involved with the Drug Abuse Resistance Edu-

cation Program, or DARE, which brings police officers into schools to talk with children about drug abuse. The program has helped children see the police in a new and more positive light, while bringing the police themselves in closer touch with the community's young people.

Unfortunately, Mr. President, too many children see the police as the enemy, and the resulting tensions can have horrible consequences, as we have seen recently. By involving mentors from the law enforcement community, JUMP would begin to bridge the gap between many children in high-crime areas and the police. The resulting improvement in police-community relations would be an important benefit of the program.

Mr. President, the experience of many existing programs clearly demonstrates the promise of mentoring. When children and adults establish solid, caring relationships, young people often are set on a different and better path. Yet, for all the good work that's already being done, too few children benefit from mentoring. We can and ought to do more. That's what JUMP is all about.

The program will provide children with trained mentors who know and care about them as individuals, who accept them, and who are there to help them when needed, mentors who can point them away from crime, away from drugs, and toward a future worth working for.

Mr. President, I want to express my appreciation to the many children advocates and others who have helped in the development of this legislation. In particular, I would like to thank the Children's Defense Fund, Big Brothers/Big Sisters of America, the National Collaboration for Youth, and the One-to-One Partnership for their advice and their endorsement of the bill. The Boys and Girls Clubs of America and the Amelior Foundation also provided valuable comments.

Mr. President, I urge my colleagues to support the bill, and ask unanimous consent that a copy of the legislation, along with other related materials, be inserted in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Newark Star-Ledger, July 17, 1992]  
JUMP TO SUCCESS

One means of dealing with the growing problem of juvenile delinquency is by providing alternatives to the temptation of crimes such as drug abuse and car theft. That is the premise behind the Juvenile Mentoring Program (JUMP) Act proposed by Sen. Frank Lautenberg (D-NJ).

In an effort to help local communities create and expand juvenile mentoring programs, Mr. Lautenberg proposes a \$50 million plan to provide adult role models for children in high-crime areas. It would foster development of projects intended to link school-age children on a regular and sustained basis

with adult mentors from their local police departments and other agencies.

The forward-looking program would be run by local educators and non-profit groups and would "match responsible, caring adults from the community with local youngsters at risk," the senator said. Grant awards would be based, in part, on the extent to which parents, teachers, students, local police departments and the community participate in developing and implementing the programs.

The approach fostered by JUMP takes into account the stagnant economy and the realities of urban environments lacking in recreational and employment opportunities. It seeks to take advantage of the most available and often overlooked resource of the community, its people.

Too many youngsters are confronted with an environment of violence and hopelessness in a crippling recession. While there are no quick fixes to the problems of the inner city, caring members of the community can have a profound impact on these youngsters.

While efforts are being made to improve the cities, the ability of their people to influence youngsters cannot be overlooked, and programs that seek to provide one-on-one role models might well be fostered and expanded.

There should be no relaxing of pressure on the federal government to provide the money needed to salvage the cities, but mentoring programs can go far to redirect youngsters consigned to despair and hopelessness.

The realization that someone is ready to teach, guide and share can make a notable difference in a young person's life and light the way toward more constructive, positive and successful endeavors.

S. 3086

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Juvenile Mentoring Program Act of 1992" or the "JUMP Act".

**SEC. 2. FINDINGS AND PURPOSES.**

The Congress finds that—

(1) millions of children in America live in areas where property and violent crime is pervasive;

(2) such crime too frequently robs these children of their youth, their future, and their lives;

(3) in many communities, children fear and distrust local law enforcement officers;

(4) while Federal funding is available to assist local law enforcement agencies in the prevention and management of crime and juvenile delinquency, little is available specifically for fostering relationships between individual youth at risk and adult mentors from the law enforcement and local community; and

(5) privately funded mentoring programs demonstrate promise that sustained mentoring relationships can help children become successful and productive members of society.

**SEC. 3. JUVENILE MENTORING.**

The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by adding at the end the following new title:

**"TITLE V—JUVENILE MENTORING PROGRAM (JUMP) ACT OF 1992"**

**"SEC. 501. SHORT TITLE.**

"This title may be cited as the 'Juvenile Mentoring Program Act of 1992' or the 'JUMP Act'.

**"SEC. 502. AUTHORITY TO MAKE GRANTS.**

"(a) IN GENERAL.—The Administrator of the Office of Juvenile Justice and Delinquency Prevention shall make grants to local educational agencies and nonprofit organizations to implement mentoring programs under this title.

"(b) ELIGIBLE MENTORING PROGRAM.—A mentoring program funded under this title shall be a program, or a new component or enhancement of an existing program, providing assistance to eligible children—

"(1) designed to link children in high crime areas with adult law enforcement officers and other responsible adults; and

"(2) intended to achieve one or more of the following goals:

"(A) Provide general guidance to eligible children.

"(B) Promote personal and social responsibility among such children.

"(C) Discourage their use of illegal drugs, violence and dangerous weapons, and other criminal activity.

"(D) Enhance eligible children's ability to function effectively in, and benefit from, elementary and secondary education.

"(E) Discourage involvement in gangs.

"(F) Encourage eligible children's participation in community service.

"(c) REGULATIONS.—

"(1) IN GENERAL.—The Administrator, after consultation with the Secretary of Health and Human Services and the Secretary of Education, shall promulgate regulations to implement this title.

"(2) SCREENING MENTORS.—The Administrator shall develop and distribute to program participants specific model guidelines for the screening of prospective program mentors.

**"SEC. 503. APPLICATIONS.**

"(a) IN GENERAL.—To be eligible to receive a grant under this title, a local educational agency or nonprofit organization shall submit an application containing the information specified in subsection (b) to the Administrator at such time, in such form, and accompanied by such additional information as the Administrator may reasonably require.

"(b) CONTENTS OF APPLICATION.—

"(1) CONTENT OF PLAN.—All applications for grants shall include a specific plan for implementing a mentoring program, including—

"(A) the method by which mentors and mentees will be recruited;

"(B) the method by which prospective mentors will be screened;

"(C) the training that will be provided to mentors; and

"(D) the resources, if any, that will be dedicated to providing participating youth with opportunities for job training or post-secondary education.

"(2) COMMUNITY INVOLVEMENT.—All applications shall describe the extent to which parents, teachers, community-based organizations, and the local community have participated in the design and implementation of the mentoring plan.

"(c) SELECTION CRITERIA.—The Administrator shall select grant recipients based on the following:

"(1) QUALITY OF PLAN.—The quality of the mentoring plan, including—

"(A) the resources, if any, that will be dedicated to providing participating youth with opportunities for job training or post-secondary education; and

"(B) the degree to which parents, teachers, community-based organizations, and the local community participate in the design and implementation of the mentoring plan.

"(2) EFFECTIVE IMPLEMENTATION.—The capability of the applicant to effectively implement the mentoring plan.

**"SEC. 504. USE OF FUNDS.**

"(a) ELIGIBLE USES.—Grants awarded pursuant to this title shall be used to implement mentoring programs, including—

"(1) hiring of mentoring coordinators and support staff;

"(2) recruitment, screening, and training of adult mentors;

"(3) reimbursement of mentors for reasonable incidental expenditures directly associated with mentoring; and

"(4) such other purposes as the Administrator may reasonably prescribe by regulation.

"(b) PROHIBITED USES.—Grants awarded pursuant to this title shall not be used—

"(1) to directly compensate mentors, except as provided pursuant to subsection (a)(3);

"(2) to obtain educational or other materials or equipment which would otherwise be used in the ordinary course of the grantee's operations; or

"(3) for any other purpose reasonably prohibited by the Administrator pursuant to regulation.

**"SEC. 505. REPORTS.**

"(a) IN GENERAL.—The Administrator shall require grantees to provide periodic reports that include information on the obligation and expenditure of grant funds, and the progress made by the grantee in implementing the mentoring plan described in section 503.

"(b) REPORTS.—Not later than 4 years after the date of enactment of this title, and periodically thereafter, the Administrator shall submit a report to Congress evaluating the program established under this title.

**"SEC. 506. MONITORING.**

"The Administrator shall audit and monitor the programs funded under this title to assure that assistance provided under this title is administered in accordance with its provisions.

**"SEC. 507. DEFINITIONS.**

"For purposes of this title—

"(1) the term 'Administrator' means the Administrator of the Office of Juvenile Justice and Delinquency Prevention.

"(2) the term 'eligible children' means individuals who live in high crime areas, as shall be reasonably defined by the Administrator pursuant to regulations, and who are less than 18 years of age and older than a minimum age established by the Administrator by regulation;

"(3) the term 'law enforcement officer' means any employee of a Federal, State, or local law enforcement agency who is engaged in law enforcement or crime prevention;

"(4) the term 'local educational agency' means any local agency as defined in section 198 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3381); and

"(5) the term 'nonprofit organization' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of the Internal Revenue Code of 1986.

**"SEC. 508. AUTHORIZATION OF APPROPRIATIONS.**

"There are authorized to be appropriated \$50,000,000 for each fiscal year to carry out the purposes of this title."\*

By Mr. PRYOR (for himself, Mr. COHEN, Mr. REID, Mr. RIEGLE, Mr. GRASSLEY, Mr. GLENN, and Mr. SHELBY):

S. 3087. A bill to amend the Social Security Act to improve and clarify provisions prohibiting misuse of symbols, emblems, or names in reference to So-

cial Security, Supplemental Security Income, Medicare, Medicaid, or the Department of Health and Human Services; to the Committee on Finance.

**MISLEADING MAILINGS PREVENTION ACT**

• Mr. PRYOR. Mr. President, today I am introducing legislation to strengthen prohibitions against fraudulent and misleading mailings targeted at older persons.

In 1988, Congress enacted a law to prevent the misuse of words, letters, symbols, and emblems of the Social Security Administration [SSA] and the Health Care Financing Administration [HCFA]. Unfortunately, despite this law, unscrupulous groups continue to prey on the elderly by use of deception and scare tactics. These groups grow rich by feeding off the fears and vulnerabilities of the elderly. The bill I am introducing today is designed to combat this wave of misleading mailings.

As my colleagues are aware, we have been receiving a growing number of complaints from senior citizens who have received letters designed to convey the impression that Social Security is bankrupt. One envelope states: "All the Social Security Money Is Gone." Seniors worry themselves sick over such charges. Yet nothing could be further from the truth, as the Social Security trust funds are developing record surpluses. Such an example, while it may or may not be found to be in violation of the law, shows the need for strengthening penalties against misleading mailings.

The purpose of the 1988 provision was to prohibit organizations from conveying the false impression that their products or mailings were endorsed, approved, or authorized by SSA or HCFA. My bill operates within that same framework, but strengthens penalties and the enforcement capabilities of the Department of Health and Human Services. First, my bill lifts the current \$100,000 annual limit on the total amount of penalties that can be levied against individuals for violations of the law. To further strengthen the deterrent against mass mailings, the bill makes each piece of mail a violation, rather than counting a bulk mailing as one violation as if the policy under current regulations.

In addition, the bill adds the names, letters, symbols and emblems of the Department of Health and Human Services, Supplemental Security Income [SSI], and Medicaid as protected items. The bill adds a new standard to define deceptive mailings to prohibit any solicitation which reasonably could be interpreted as conveying the false impression that such an item is approved by HHS. To facilitate HHS's ability to battle these abuses, the Department of Justice would no longer have to issue a formal declination of action before HHS could pursue a civil monetary penalty. In order for us to

evaluate HHS's progress, the Secretary of HHS would be required to report to Congress annually about deceptive practices involving SSA and actions taken against violations of the law.

The Misleading Mailings Prevention Act of 1992 will close loopholes in the law and put a halt to some of the most despicable scams against the elderly. Greedy individuals employ a number of very creative methods of shaking down the elderly. They aim at emptying the pockets of those who can least afford it. They shamelessly pose as legitimate by using official sounding names and symbols. Ironically, in the name of protecting Social Security, these scam artists will take a portion of older person's Social Security checks, often from those on fixed incomes who may have to forgo food or medicine in order to make a small donation. We can and must put a stop to this.

I am pleased that the distinguished chairman of the Committee on Finance has agreed to include this bill as part of the urban aid package the committee is scheduled to markup on July 29. This demonstrates again his longstanding commitment to combating fraud against the elderly, and his concern about the effects such deception has on the pocketbook of seniors who may be living on fixed incomes.

I urge all of my colleagues to join us in this effort.

Mr. President, I ask unanimous consent that a summary of the bill be printed in the RECORD and that the bill be printed following the summary.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**SUMMARY OF THE MISLEADING MAILINGS PREVENTION ACT OF 1992**

**Problem:** During the past decade, soliciting senior citizens by deceptive means has become big business. In their solicitations, various organizations have attempted to imply connections with Federal government agencies to lend credence to their scams. Existing provisions in the Social Security Act to prevent such fraud have proven inadequate to deter all deceptive mailings.

**Present law:** In 1988, Congress enacted a provision prohibiting the misuse of words, letters, symbols and emblems of the Social Security Administration (SSA) and the Health Care Financing Administration (HCFA). The purpose was to prevent organizations from conveying the false impression that their mailings or solicitations were approved or authorized by SSA or HCFA. The law permits the Department of Health and Human Services (HHS) to impose civil monetary penalties not to exceed \$5,000 per violation or, in the case of a broadcast or telecast, \$25,000 per violation. The total amount of penalties which may be imposed is limited to \$100,000 per year.

**Bill summary:** The bill would eliminate the \$100,000 annual cap on penalties in order to create an adequate deterrent for groups that take in millions of dollars per year by engaging in deceptive practices.

The bill would define a "violation" as each individual piece of mail in a mass mailing, overriding current regulations that define an entire mass mailing as only one violation.

This further strengthens the deterrent against deceptive mailings.

The bill would add a new definition of a deceptive mailing. In addition to the current law standard which prevents an organization or a person from using names and symbols in a manner that such a person "knows or should know would convey a false impression" of a relationship with SSA, HCFA, or HHS, the bill would add a prohibition against the use of the names or symbols in a manner which "reasonably could be interpreted or construed as conveying" a relationship to those Federal agencies.

The bill would eliminate the existing requirement that the Department of Justice (DOJ) review and formally decline to handle cases on deceptive mailings under the Social Security Act. The current requirement needlessly delays action by HHS, and the DOJ has shown no interest in pursuing this area.

Finally, the bill would require HHS to report annually to Congress on enforcement actions taken on deceptive mailings.

**Status:** The Senate Finance Committee is expected to include the bill in the urban aid package it is scheduled to mark up on July 29, 1992. The House of Representatives recently approved similar legislation as part of its urban aid package.

S. 3087

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Misleading Mailings Prevention Act of 1992".

**SEC. 2. IMPROVEMENT AND CLARIFICATION OF PROVISIONS PROHIBITING MISUSE OF SYMBOLS, EMBLEMS, OR NAMES IN REFERENCE TO SOCIAL SECURITY, SUPPLEMENTAL SECURITY INCOME, MEDICARE, MEDICAID, OR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.**

(a) ADDITION TO PROHIBITED WORDS, LETTERS, SYMBOLS, AND EMBLEMS.—Section 1140(a) of the Social Security Act (42 U.S.C. 1320b-10(a)) is amended—

(1) in paragraph (1), by striking "Administration", the letters 'SSA' or 'HCFA', and inserting "Administration", "Supplemental Security Income", "Medicaid", "Department of Health and Human Services", the letters 'SSA', 'HCFA', 'SSI', 'DHHS', or 'HHS'; and

(2) in paragraph (2); by striking "Social Security Administration" each place it appears and inserting "Social Security Administration, Health Care Financing Administration, or Department of Health and Human Services", and by striking "or if the Health Care Financing Administration".

(b) INCLUSION OF REASONABLENESS STANDARD.—Section 1140(a) of such Act, as amended, in the matter following paragraph (2), by striking "convey" and inserting "convey, or in a manner which reasonably could be interpreted or construed as conveying,".

(c) VIOLATIONS WITH RESPECT TO INDIVIDUAL ITEMS.—Section 1140(b)(1) of such Act (42 U.S.C. 1320b-10(b)(1)) is amended by adding at the end the following new sentence: "In the case of any items referred to in subsection (a) consisting of pieces of mail, each such piece of mail which contains one or more words, letters, symbols, or emblems in violation of subsection (a) shall represent a separate violation."

(d) ELIMINATION OF CAP ON AGGREGATE LIABILITY AMOUNT.—

(1) REPEAL.—Paragraph (2) of section 1140(b) of such Act (42 U.S.C. 1320b-10(b)(2)) is repealed.

(2) CONFORMING AMENDMENTS.—Section 1140(b) of such Act is further amended—

(A) by striking "(1) Subject to paragraph (2), the" and inserting "The";

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(C) in paragraph (1) (as redesignated), by striking "subparagraph (B)" and inserting "paragraph (2)".

(e) REMOVAL OF FORMAL DECLINATION REQUIREMENT.—Section 1140(c)(1) of such Act (42 U.S.C. 1320b-10(c)(1)) is amended by inserting "and the first sentence of subsection (c)" after "and (i)".

(f) ANNUAL REPORTS.—Section 1140 of such Act (42 U.S.C. 1320b-10) is amended by adding at the end the following new subsection:

"(d) The Secretary shall include in the annual report submitted pursuant to section 704 a report on the operation of this section during the year covered by such annual report. Such report shall specify—

"(1) the number of complaints of violations of this section received by the Social Security Administration during the year,

"(2) the number of cases in which a notice of violation of this section was sent by the Social Security Administration during the year requesting that an individual cease activities in violation of this section,

"(3) the number complaints of violations of this section referred by the Social Security Administration to the Inspector General in the Department of Health and Human Services during the year,

"(4) the number of investigations of violations of this section undertaken by the Inspector General during the year,

"(5) the number of cases in which a demand letter was sent during the year assessing a civil money penalty under this section,

"(6) the total amount of civil money penalties assessed under this section during the year,

"(7) the number of requests for hearings filed during the year pursuant to section 1140(c)(1) and 1128A(c)(2),

"(8) the disposition during such year of hearings filed pursuant to section 1140(c)(1) and 1128A(c)(2), and

"(9) the total amount of civil money penalties under this section deposited as miscellaneous receipts of the treasury of the United States during the year."

(g) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring after the date of the enactment of this Act.

By Mr. KENNEDY (for himself, Mr. SIMON, Mr. ADAMS, Mr. INOUE, Mr. BRADLEY, Mr. AKAKA, Mr. GLENN, Mr. PELL, Mr. WELLSTONE, Mr. KERRY, Mr. METZENBAUM, and Mr. KOHL):

S. 3088. A bill to amend the Public Health Service Act to establish a program to provide grants to improve the quality and availability of comprehensive education, health and social services for at-risk youth and their families, and for other purposes; to the Committee on Labor and Human Resources.

**COMPREHENSIVE SERVICES FOR YOUTH ACT**

Mr. KENNEDY. Mr. President, America's children and youth are symbols of both the successes and failures of our society. They are our future and our legacy, and yet we continue to fall far short of our obligation to meet their

needs. In these difficult times, the plight of the Nation's children represents the burden of more than a decade of decay and neglect. The Nation has become increasingly divided, and our youth are paying the price.

Today, more than 1 out of 5 American children live in poverty—and more than 200,000 have no place to call home. We are reducing our military forces, but we are doing nothing to stop the arms race here at home. More than 5 million students now carry weapons to school. Faced with a lack of role models and opportunity and an excess of crimes and victims, too many of our young people find survival training in the streets. We can do better, and we must do better.

Among the most important tasks facing our country is reforming the Nation's schools. It is not enough to improve the quality of education. Children cannot learn if they have other urgent unmet needs. Many youth are carrying heavy burdens to school each day that make learning difficult or impossible.

Overworked teachers find themselves also serving as social workers, counselors, and caregivers while still trying to perform their jobs as educators. They are discouraged and exhausted, and their teaching suffers.

Public health and social service agencies are struggling to help children and families, but their efforts are fragmented and obstructed by jurisdictional boundaries and confusing criteria. Families most in need of services are often headed by single parents in low-wage jobs that don't allow time off to see a doctor in one neighborhood, a social worker in another, and a specialist in yet another. Endless paperwork, waiting lists, time constraints, and transportation barriers combine to prevent children from obtaining the kind of services that most of us take for granted, and that would give them an opportunity to learn in school and prosper.

Preventive health services, the essence of good health care, are practically nonexistent. Teenagers, often alienated and struggling for their independence, frequently will not use traditional service delivery systems, believing that no one understands their needs. To enable students to learn, we must find more effective ways to see that their basic needs are met. The obvious place to start is with the schools.

Today I am introducing the Comprehensive Services for Youth Act of 1992 to begin to bring schools, health and other professionals, and parents together in a coordinated effort to provide basic health care and other services to students in their schools.

This legislation will offer grants to local community partnerships in urban and rural areas to coordinate and deliver comprehensive health and social services to youth in school-based or

school-linked centers. The partnerships will be targeted on communities with high risk environments and high rates of children in poverty. Parents, teachers, service providers, and community leaders will all be encouraged to work together and actively participate.

The bill will also offer grants to states and local consortia to support comprehensive health and social services for all youth on a citywide or statewide basis. These grants will support the efforts of states and localities to coordinate services and make more effective use of scarce State, local, and Federal funds.

Other provisions will give teachers and school administrators the training and technical assistance they need, so that pupils can take greater advantage of the social services available in the school and in the community.

Our schools are already heavily overburdened, and will not be easy for them to take on this additional one-stop-shopping role as well. But the modest cost involved in making at least a minimum level of health care and other basic services available in the schools is an investment in the future that can pay rich dividends for education too. This concept of one-stop-shopping in the schools may make all the difference in achieving all our other goals in elementary and secondary school reform.

In a hearing this morning, the Labor and Human Resources Committee heard from parents, policymakers, program providers, and youth themselves, from urban and rural communities across this country. Each of witnesses, from their own perspective, had recognized the merit of this new approach to education. Many were skeptical at first, but they are now convinced that it is the way of the future.

I urge my colleagues to support this legislation and I look forward to its consideration by the full Senate.

I ask unanimous consent that the testimony from the testimony from the hearing be included in the RECORD. Furthermore, I ask consent that the letters of support for the Comprehensive Services for Youth Act of 1992 and the complete text of the legislation be printed in the Record.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 3088

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Comprehensive Services for Youth Act of 1992".

#### TITLE I—SCHOOL-BASED OR SCHOOL-LINKED HEALTH AND SOCIAL SERVICES CENTER GRANTS

##### SEC. 101. GRANT PROGRAM.

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may

award grants to eligible local community partnerships to coordinate and deliver comprehensive education, health, and social services to children or youth in school-based, school-linked or community-based locations.

##### (b) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—To be eligible to receive a grant under subsection (a), an entity shall—

(A) be a new or existing local community partnership which, at a minimum, shall include—

(i) a local health care provider with experience in delivering services to adolescents;

(ii) one or more local public schools; and

(iii) at least one community-based organization located in the community to be served that has a history of providing services to at-risk youth in that community.

(B) prepare and submit to the Secretary an application in accordance with subsection (e), that has been developed and agreed to by all members of the partnership;

(C) ensure the provision of core services in accordance with subsection (c); and

(D) meet any other requirements determined appropriate by the Secretary.

(2) PARTICIPATION.—A partnership described in paragraph (1)(A) shall, to the maximum extent feasible, involve broad based community participation from parents and youth to be served, health and social service providers, teachers and other public school and school board personnel, community-based organizations (particularly those serving minority youth), youth development and service organizations and interested business leaders. Such participation may be through an expanded partnership, or an advisory board to such a partnership.

(3) TARGETING.—A partnership described in paragraph (1)(A) shall be located in and created to serve a community in which youth are exposed to a high risk environment as documented by factors including high rates of children in poverty or who lack access to health care, school drop outs and those retained in grade, alcohol or other drug use, sexually transmitted diseases including HIV, teen pregnancy, suicide, community or gang violence, youth unemployment, and juvenile justice involvement.

##### (c) USE OF AMOUNTS.—

##### (1) CORE SERVICES.—

(A) IN GENERAL.—A local partnership awarded a grant under subsection (a) shall use amounts received under such grant to coordinate and deliver core services described in subparagraphs (B) and (C) at a school-based, school-linked, or community-based location or locations accessible to, and utilized by, at-risk children, youth, and their families.

(B) COMPREHENSIVE HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES.—With respect to the delivery of comprehensive health, mental health, and social services, a partnership shall ensure that—

(i) at a minimum, health screening and health care services, counseling and crisis intervention and referrals are provided in a single site; and

(ii) health, mental health and social services which cannot be provided directly on-site will be secured through contracted arrangements with community-based providers and a case management system that ensures that populations to be served receive needed services and appropriate follow-up services.

(C) YOUTH DEVELOPMENT AND LIFE PLANNING.—With respect to youth development and life planning services, a partnership shall—

(i) provide age appropriate programs and services that promote the development of

life skills and social competencies which assist youth in completing school or employment training, establishing life and career goals, and avoiding high risk behaviors; and

(i) provide programs and services that are designed to prevent HIV and other sexually transmitted diseases, unintended pregnancies, alcohol and other drug use, suicide, community or gang violence, and other risk taking behaviors that reflect the needs of the populations identified by the community in the comprehensive plan of the partnership.

(2) COORDINATION OF CORE SERVICES.—A partnership awarded a grant under subsection (a) shall, in meeting the requirements of paragraph (1), use amounts received under such grant to coordinate the delivery of existing services of the types described in such paragraph to more effectively utilize available resources prior to adding new resources or developing new services.

(3) COORDINATION OF CORE SERVICES WITH ADDITIONAL SERVICES.—A partnership awarded a grant under subsection (a) may use amounts received under such grant to coordinate or co-locate core services with additional services identified in the comprehensive plan to enhance the support available through the partnership service delivery network.

(d) PRIORITY AND TERM OF GRANTS.—

(1) PRIORITY.—In awarding grants under this subsection the Secretary shall give priority to those applicants that, through their comprehensive services plan, demonstrate that—

(A) continuity of access to required core services for youth will be made available on a year round basis or beyond traditional school or service hours, either on site or through a backup referral system of community-based providers; and

(B) services to be offered by the partnership will extend beyond the in-school population and will include the provision of core services to out-of-school youth, to the extent practicable.

(2) TERM OF GRANTS.—Grants awarded under subsection (a) shall be for a term of not less than 3, or more than 5, years based on the ability of the grantee partnership to achieve the goals and objectives identified in the entity's application. The Secretary may provide 2 year extension awards to those grantee partnerships that, following the initial 3 year grant period, demonstrate substantial progress in the integration of comprehensive services, including broad based institutional support for collaboration from all members of the partnership, and improvement in the health and education outcomes of the populations served relative to baseline community indices.

(e) APPLICATION.—

(1) IN GENERAL.—An entity that desires to receive a grant under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. Such application shall include a comprehensive services plan that meets the requirements of paragraph (3) and the assurances required under paragraph (4). A copy of such application shall be provided to the State agencies primarily responsible for health and education for the particular State involved.

(2) FORMULATION.—In formulating a comprehensive services plan under this subsection, an entity shall document the efforts undertaken by the entity to obtain broad based community input from teachers and school personnel, health providers including

organized medicine, social service providers including community-based organizations, and parents and at-risk youth to be served in order to—

(A) maximize participation in the needs assessment conducted by the entity;

(B) formulate a service plan that is comprehensive and reflective of the needs delineated by youth and families to be served;

(C) build institutional support for the services to be provided under the plan from the staff and administration of all members of the partnership and the larger community;

(D) encourage increased collaboration among a broader range of public and private providers to improve the quality, availability and variety of services offered within the partnership; and

(E) heighten awareness of the linkage between access to comprehensive health and social services and school performance.

(3) CONTENTS OF THE PLAN.—Each plan submitted under paragraph (1) shall include—

(A) a description of the children or youth populations to which services will be provided under the grant and an assessment of their health, social services, and education needs;

(B) an inventory of existing core services described in subsection (c) that are being provided to such populations within the community, including subpopulations of youth with special needs;

(C) an identification of the unmet needs of such populations, gaps in the system of core services available, barriers to the utilization of services, and barriers to the integration of services including conflicting regulatory requirements and eligibility standards;

(D) a description of the program goals and objectives and intended outcomes, which may include increased integration and utilization of services by the intended populations, and improved health and education indicators for service recipients relative to the baseline community assessments described in subparagraph (A);

(E) a plan for the manner in which data systems used by members of the partnership will be coordinated in order to guide local planning and evaluate the progress made toward achieving program goals and objectives described in subparagraph (D);

(F) a description of the means by which the entity will coordinate or co-locate services currently provided by members of the partnership in order to maximize the effectiveness of existing resources;

(G) a description of the services that will be directly provided to children or youth populations with funds provided under this Act as needed to address identified unmet core service needs;

(H) a description of how the services will be coordinated with the on-going educational activities of the school or schools participating in the partnership and the role the school nurse and other student support personnel will play in the expanded health care services;

(I) a description of the process by which program decisions will be made within the partnership;

(J) an identification of the partnership's fiscal agent and the manner in which program funds received under this section will be disbursed and monitored; and

(K) a description of the strategy for securing the long term financing necessary to ensure a continuity of services made available through the partnership after the termination of the grant period.

(4) ASSURANCES.—An application submitted under this section shall contain assurances that—

(A) core services will be provided in a coordinated manner at a single site providing ready access to the populations to be served, and if such single site is to be school-based, that an affirmative school board vote for the project will be provided;

(B) core services will be targeted to populations and subpopulations identified in the comprehensive plan and will be delivered in a culturally sensitive and linguistically appropriate manner;

(C) amounts provided to the applicant under this section will be used to coordinate existing services provided by the individual members of the partnership before such amounts are used to provide new services; and

(D) amounts provided to the applicant under this section and used to deliver services will be utilized in conformity with the unmet core service needs as identified in the comprehensive plan of the entity.

(f) GEOGRAPHIC DISTRIBUTION.—In awarding grants to qualified applicants under this title, the Secretary shall ensure—

(1) an equitable geographic distribution; and

(2) a distribution to both urban and rural communities in which youth are exposed to a high risk environment in accordance with section 101(b)(3).

(g) AMOUNT OF GRANT.—The annual amount of a grant awarded under this title shall not be less than \$100,000 nor more than \$300,000, except as provided in section 102.

(h) FEDERAL SHARE.—

(1) IN GENERAL.—Subject to paragraph (3), a grant for services awarded under this section may not exceed—

(A) 90 percent of the total cost of the activities to be funded under the program for the first 2 fiscal years for which the program receives assistance under this section; and

(B) 75 percent of the total cost of such activities for subsequent years for which the program receives assistance under this section.

The remainder of such costs shall be made available as provided in paragraph (2).

(2) FORM OF NON-FEDERAL SHARE.—The non-Federal share required by paragraph (1) may be in cash or in-kind, fairly evaluated, including facilities, equipment, personnel, or services, but may not include amounts provided by the Federal Government. In-kind contributions may include space within a school facility, school personnel, program use of school transportation systems, outposted health and social services personnel, and extension of health provider medical liability insurance.

(3) WAIVER.—The Secretary may waive the requirements of paragraph (1) for any year in accordance with criteria established by regulation. Such criteria shall include a documented need for the services provided under this section and an inability of the grantee to meet the requirements of paragraph (1) despite a good faith effort.

(i) TRAINING AND TECHNICAL ASSISTANCE.—Entities that receive assistance under this section shall use 10 percent of the amount of such assistance to provide staff training and to secure necessary technical assistance. To the maximum extent feasible, technical assistance should be sought through local community-based entities. Staff training should include the training of teachers and other school personnel necessary to ensure appropriate referral and utilization of services and school reinforced linkages between classroom activities and services offered.

SEC. 102. PLANNING SERVICES.

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Re-

sources and Services Administration, may award 1 year nonrenewable planning grants to entities described in section 101(b)(1)(A) that agree to establish a local community partnership for the purpose of delivering comprehensive services as described in section 101.

(b) APPLICATION.—To be eligible to receive a grant under subsection (a), a local community partnership shall prepare and submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may reasonably require. A copy of such application shall be provided to the State agencies primarily responsible for health and education in the particular State involved.

(c) USE OF AMOUNTS.—Amounts provided under a grant awarded under subsection (a) shall be used to—

(1) assess the education, health, mental health, and social service needs of children or youth in the community proposed to be served by the local community partnership, and the current service delivery system, to identify unmet needs and barriers to services;

(2) develop a plan for the delivery and coordinating of comprehensive education, health and social services for youth populations to be served in a school-based, school-linked, or community-based location; and

(3) develop program goals and objectives and intended outcomes and the means by which progress will be measured.

(d) LIMITATIONS.—

(1) AMOUNT AVAILABLE FOR GRANTS.—Not more than 10 percent of the amounts appropriated under section 308(1) shall be used to award planning grants under subsection (a).

(2) AMOUNT AVAILABLE FOR INDIVIDUAL GRANTS.—The Secretary shall not award a grant of more than \$50,000 under subsection (a).

## TITLE II—STATE AND LOCAL COORDINATED YOUTH SERVICES GRANTS

### SEC. 201. PURPOSE.

It is the purpose of this title to award grants to citywide or countywide consortia, or to a State entity, with a demonstrated commitment to the coordination and delivery of comprehensive education, health and social services to in-school and out-of-school youth on a citywide, countywide or statewide basis through a system of school-based, school-linked, and community-based comprehensive youth services centers.

#### Subtitle A—Local Consortia Grants

### SEC. 211. COORDINATION AND SERVICE DELIVERY GRANTS.

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may award grants to eligible consortia to enable such consortia to provide comprehensive core services as described in section 231(a).

(b) ELIGIBLE CONSORTIA.—

(1) IN GENERAL.—To be eligible to receive a grant under subsection (a), a consortia—

(A) shall be a new or existing collaborating group of entities whose membership includes representatives from the local health department, the local educational agency, health and social services providers and community-based organizations located in the service delivery area that have a history of providing service to at-risk youth (including minority youth, school drop outs, adolescent parents, and runaway or homeless youth), youth development organizations, juvenile justice personnel, and parents and the at-risk youth to be served;

(B) shall consist of members who have demonstrated a financial or organizational commitment to providing comprehensive education, health, and social services to at-risk youth through an integrated service delivery network directed by the consortia; and

(C) shall prepare and submit to the Secretary an application in accordance with section 231(b).

(2) DEFINITION.—For purposes of paragraph (1):

(A) The term “financial commitment” means an identification of locally controlled financial resources, including those obtained through individual or joint application with other public and private funding sources, to be dedicated to the planning, coordination and delivery of comprehensive services to at-risk youth by the consortia.

(B) The term “organizational commitment” means—

(i) an identification of existing institutional and in-kind resources that each member of the consortia will dedicate to the goals and objectives of the consortia;

(ii) an assurance that the training and technical assistance necessary for teachers and other frontline service providers to increase their knowledge, expertise, and willingness to work collaboratively will be provided;

(iii) a commitment to participate in providing the data necessary to guide the joint planning, implementation, and ongoing monitoring consortia activities; and

(iv) with respect to the local educational agency, an affirmative vote by the local school board on participation in the consortia.

#### Subtitle B—Statewide Youth Services Center Grants

### SEC. 221. STATEWIDE COORDINATION AND SERVICE DELIVERY GRANTS.

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may award grants to eligible States to enable such State to provide the core services described in subsection 231(a) through the awarding of grants to local community partnerships or consortia.

(b) ELIGIBLE STATES.—

(1) IN GENERAL.—To be eligible to receive a grant under subsection (a), a State shall—

(A) provide assurances that a memorandum of understanding or written cooperative agreement has been entered into by the State agencies responsible for education, health and social services concerning the planned delivery of comprehensive youth services;

(B) have a demonstrated financial and organizational commitment to providing comprehensive and co-located health, education, and social services to at-risk youth through the awarding of grants to local communities;

(C) currently support the coordinated delivery of such services through a system of school-based, school-linked, or community-based comprehensive youth services centers;

(D) provide documentation that services are prioritized among communities that have health and social indices that indicate a high risk environment for youth, including high rates of children in poverty or who lack access to health care, teen pregnancy, sexually transmitted diseases including HIV, school dropouts, community or gang violence, alcohol or other drug use, youth unemployment and juvenile justice involvement; and

(E) prepare and submit to the Secretary an application in accordance with section 231(b).

(2) DEFINITIONS.—For the purposes of paragraph (1):

(A) The term “demonstrated financial commitment” means the investment of State-controlled financial and other resources available to States for the purposes of planning, coordinating, and delivering comprehensive services to youth in the most recent fiscal year.

(B) The term “demonstrated organizational commitment” means—

(i) an administrative mechanism in place under which a statewide system of local partnerships is implemented among education and public and private health and social service providers for collaboration in the joint planning, coordination, and delivery of comprehensive services to youth populations; and

(ii) a defined strategic plan for the manner in which the State provides technical assistance and training to localities for the development of the collaborative partnerships in described in clause (i).

#### Subtitle C—Provisions Relating to Both Local and Statewide Grant Programs

### SEC. 231. USE OF AMOUNTS AND APPLICATION.

(a) USE OF AMOUNTS.—

(1) CORE SERVICES.—

(A) IN GENERAL.—A consortia or State entity awarded a grant under section 211 or 221 shall use amounts received under such grant to coordinate and deliver core services described in subparagraphs (B) and (C) through a system of school-based, school-linked, or community-based youth centers, to serve in-school and out-of-school youth and their families;

(B) COMPREHENSIVE HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES.—With respect to the delivery of comprehensive health, mental health, and social services, a consortia or entity shall ensure that—

(i) at a minimum, health screening and health care services, counseling and crisis intervention and referrals are provided on-site; and

(ii) health, mental health and social services which cannot be provided directly on-site will be secured through referrals to community-based providers under contractual arrangements and a case management system that ensures that youth receive needed services and appropriate follow-up services.

(C) YOUTH DEVELOPMENT AND LIFE PLANNING.—With respect to youth development and life planning services, a consortia or entity shall—

(i) provide programs and services that promote the development of life skills and social competencies which assist youth in completing school or employment training by helping them to establish life and career goals and avoid high risk behaviors; and

(ii) provide programs and services that are designed to prevent HIV and other sexually transmitted diseases, unintended pregnancy, alcohol and other drug use, suicide, community or gang violence, and other adolescent risk taking behaviors that reflect the needs of the youth populations identified by the community in the comprehensive plan of the partnership.

(2) COORDINATION AND DELIVERY OF CORE SERVICES.—An entity awarded a grant under this title shall, in meeting the requirements of paragraph (1), use amounts received under such grant to coordinate and co-locate the delivery of existing core services of the types described in such paragraph into a broader system of health and social services centers

accessible to in-school or out-of-school youth to more effectively utilize available resources prior to adding new resources or developing new services.

(3) **COORDINATION OF CORE SERVICES WITH EDUCATION AND TRAINING SERVICES FOR OUT-OF-SCHOOL YOUTH.**—An entity awarded a grant under this title shall use amounts received under such grant to provide outreach services to out-of-school youth (including adolescent parents and runaway and homeless youth) and to coordinate core services with alternative education and job training and placement opportunities for such youth.

(4) **COORDINATION OF CORE SERVICES WITH ADDITIONAL SERVICES.**—An entity awarded a grant under this title may use amounts received under such grant to coordinate and co-locate core services with additional services in order to enhance the support available to at-risk youth and their families through the service delivery network.

(5) **EXPANSION OF CORE SERVICES TO FEEDER SCHOOLS.**—An entity awarded a grant under this title may use amounts received under such grant to expand the coordination and delivery of core services to those elementary schools whose students will attend secondary schools currently providing core services.

(b) **APPLICATION.**—

(1) **IN GENERAL.**—A consortia or State entity that desires to receive a grant under this title shall prepare and submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. Such application shall include a comprehensive services plan that meets the requirements of paragraph (3) and the assurances required under paragraph (4).

(2) **FORMULATION.**—In formulating a comprehensive services plan under this subsection, a consortia or State entity shall document the efforts undertaken to obtain broad based community input from teachers and other school personnel, health providers including organized medicine, social services providers including community-based organizations, and parents and at-risk youth in order to—

(A) maximize participation in the needs assessment conducted by the entity;

(B) formulate a service plan that is comprehensive and reflective of the needs delineated by the youth, families, and neighborhoods to be served under the plan;

(C) build institutional support for the services to be provided under the plan from the staff and administration of all members of the consortia and the support of parents and the larger community; and

(D) encourage increased collaboration among members of the consortia as well as a broader range of providers to enhance the quality, availability and a variety of services available within the consortia.

(3) **CONTENTS OF THE PLAN.**—Each plan submitted under paragraph (1) shall include, with respect to local consortia or those localities to be served under a Statewide network—

(A) a description of the in-school and out-of-school youth populations to which services will be provided under the grant and an assessment of their health and social services needs;

(B) an inventory of existing core services provided in subsection (a) that are being provided to such youth populations, including subpopulations of youth with special needs;

(C) an identification of the unmet needs of such youth populations, gaps in the system of core services available, barriers to the uti-

lization of services by such youth, and barriers to the integration of services including conflicting regulatory requirements and eligibility standards;

(D) a description of the program goals and objectives and intended outcomes, which may include increased integration and utilization of services by the intended youth populations, and improved health and education, indicators for service recipients relative to baseline community assessment;

(E) a description of the manner in which such data systems will be utilized to guide planning and to evaluate progress toward achieving the program goals and objectives described in subparagraph (D);

(F) a description of the means by which an entity awarded a grant under this title will—

(i) utilize existing Federal, State, local and other funding sources and reimbursement mechanisms (including Medicaid and other third party payors), received by the entity or its members for the coordinated delivery of core services; and

(ii) co-locate currently operating services provided by the entity or its members into a system of comprehensive health and social services centers in order to maximize the effectiveness of existing resources in serving in-school and out-of-school youth;

(G) a description of the services that will be directly provided to such youth populations with funds provided under this Act as needed to address unmet core service needs identified in the comprehensive plan;

(H) a plan for the phased-in development of comprehensive school-based and community-based health and social services centers with amounts received under this Act to achieve a citywide, countywide, or Statewide service delivery network of both in-school and out-of-school youth;

(I) a plan for the phased-in expansion of services available through the entity by identifying additional opportunities for collaboration with providers offering services in addition to the core services required under subsection (a) which have been identified as needs of such youth populations;

(J) a description of the process by which program development, implementation, and evaluation (including the criteria and decision-making process that will be used in allocating funds within the youth services center system) will be carried out within the entity;

(K) an identification of the fiscal agent or State agency administering the program and the manner in which program funds received under this section will be disbursed and monitored; and

(L) a description of the strategy for securing the long term financing necessary to continue to provide the services made available through the entity after the termination of the grant period.

(4) **ASSURANCES.**—An application submitted under this subsection shall contain assurances that—

(A) core services will be provided in a coordinated manner to in-school and out-of-school youth through a system of comprehensive services centers providing ready access to the youth and their families to be served;

(B) core services will be targeted to youth populations and subpopulations identified in the comprehensive plan and will be delivered in a culturally sensitive and linguistically appropriate manner;

(C) amounts provided to the applicant under this section will be used to coordinate existing services before such amounts are used to provide directly the services;

(D) amounts provided to the applicant under this section and used to deliver services will be utilized in conformity with the unmet needs as identified in the comprehensive plan of the entity; and

(E) entities awarded grants under this title will provide comprehensive services that extend beyond traditional school or service hours, including access to year round programs and programs that provide services in the evenings or on weekends.

(c) **TERM OF GRANTS AND ADMINISTRATIVE COSTS.**—

(1) **TERM OF GRANTS.**—Grants awarded under this title shall be for a term of not less than 3, or more than 5, years based on the ability of the grantee to achieve the goals and objectives identified in the entities application. The Secretary may provide 2 year extension awards to those grantees that, following the initial 3 year grant period, demonstrate substantial progress in the integration of comprehensive services for at-risk youth, including broad based institutional support for collaboration from all members of the consortia, and an improvement in the health and education outcomes of the youth served relative to the baseline community indices.

(2) **CAP ON ADMINISTRATIVE COSTS.**—A grantee may not use in excess of 5 percent of any amounts received under a grant awarded under this title for planning, data collection, administration, accounting, reporting, and program oversight activities.

(3) **INTEGRATION INCENTIVE.**—The Secretary, in making a grant under this title, may make available to an approved consortia or State, an amount equal to—

(A) \$1 under such a grant for every \$5 of Federal funds otherwise available to the individual members of the consortia or State through other Federal discretionary grant programs that will be integrated into the comprehensive service delivery network established by the consortia or State; and

(B) \$1 under such a grant for every \$1 of local, State or other non-Federal funds made available to carry out the purposes of this Act (such non-Federal contributions may be cash, from public or private entities, or in-kind, fairly evaluated, including facilities, equipment, and personnel).

Amounts provided by the Federal government and applied under subparagraph (A), may not be included in determining the local share for purposes of this paragraph.

**SEC. 232. CONSORTIA OR STATE PLANNING GRANTS.**

(a) **IN GENERAL.**—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may award 1 year nonrenewable planning grants to consortia described in section 211(b)(1)(A) or to States for the purpose of planning for the delivery of comprehensive services as described in section 231.

(b) **APPLICATION.**—To be eligible to receive a grant under subsection (a), consortia or State shall prepare and submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may reasonably require.

(c) **USE OF AMOUNTS.**—Amounts provided under a grant awarded under subsection (a) shall be used to—

(1) establish an administrative mechanism for the development and implementation of a citywide, countywide, or statewide system of school-based, school-linked, or community-based comprehensive youth services centers;

(2) assess the education, health, mental health, and social service needs of youth proposed to be served, and the current service

delivery system, to identify unmet needs and barriers to services for youth;

(3) develop program goals and objectives and intended outcomes and the means by which progress will be measured; and

(4) develop a strategic plan for the coordinating and delivery of comprehensive education, health and social services for youth populations to be served in a school-based, school-linked, or community-based location.

(d) LIMITATIONS.—

(1) AMOUNT AVAILABLE FOR GRANTS.—Not more than 10 percent of the amounts appropriated under section 308(2) shall be used to award planning grants under subsection (a).

(2) AMOUNT AVAILABLE FOR INDIVIDUAL GRANTS.—The Secretary shall not award a matching grant of more than \$150,000 under subsection (a).

**TITLE III—IMPLEMENTATION PROVISIONS**

**SEC. 301. INTERRELATIONSHIP BETWEEN TITLES.**

(a) LIMITATION.—

(1) IN GENERAL.—A community that is currently receiving State funds for the delivery of co-located education, health and social services, or a community that will receive funding from the State if such State is funded under subtitle B of title II, shall not be eligible to receive funds under title I.

(2) CONSTRUCTION.—Nothing in paragraph (1) shall be construed to prevent a community partnership that currently receives State funding for the delivery of co-located education, health, and social services from forming a consortia in order to seek funding for an expanded citywide or countywide youth services network under subtitle A of title II.

(b) PARTICIPATION.—A local consortia operating in a locality that is receiving State funding for the delivery of co-located education, health, and social services, shall include participation from the entities receiving such State funding.

(c) CONTINUED FUNDING.—At the completion of the 5-year grant period under title I, a partnership receiving funds under such title shall be eligible for continued funding if such partnership has expanded into a citywide or countywide consortia as described under subtitle A of title II, or has become part of a Statewide network as described under subtitle B of title II.

**SEC. 302. CONSULTATION WITH OTHER DEPARTMENTS.**

The Secretary shall consult with the Secretary of Education in the development of program regulations to implement this Act.

**SEC. 303. TECHNICAL ASSISTANCE.**

(a) IN GENERAL.—The Secretary shall—

(1) widely disseminate information regarding the programs authorized under this Act to appropriate State and local health, education, and human service agencies and community-based organizations;

(2) provide technical assistance to support entities in complying with the requirements of this Act; and

(3) widely disseminate information with respect to successful and model programs supported with funds provided under this Act to current grantees and to entities described in paragraph (1).

(b) ADMINISTRATION.—The assistance and information under subsection (a) shall be provided directly through the Health Resources and Services Administration as the administering agency, other agencies within the Department of Health and Human Services with appropriate expertise, or through grants, or contracts with, nonprofit organizations with appropriate expertise. In carrying out this section, the Secretary shall col-

laborate with the Department of Education, Department of Labor, and the Commission on National and Community Service.

**SEC. 304. REPORT TO SECRETARY.**

(a) IN GENERAL.—Entities receiving funds under this Act shall prepare and submit to the Secretary an annual report that shall contain information concerning—

(1) service utilization, including the number of client visits funded through this Act, the types of services provided, demographic data on the age, sex and race of participants, and the third party reimbursement source for such services provided;

(2) the most recent data for youth residing in the service delivery area including—

(A) school dropout rates, absenteeism, and school reentry rates;

(B) teen pregnancy and sexually transmitted disease rates; and

(C) available data on substance abuse rates, juvenile crime indices, and youth unemployment; and

(3) the number and types of entities participating in the delivery of services through the comprehensive services plan, and the actions taken to coordinate and collaborate with other entities in service delivery.

(b) THIRD YEAR SUBMISSIONS.—At the end of the third fiscal year for which a grant is awarded to an entity under this Act, the entity shall submit, as part of the report required under subsection (a), an analysis of the progress that has been made in—

(1) achieving the program goals, objectives and intended outcomes as outlined in the comprehensive services plan; and

(2) improving the health and education outcomes of the youth served relative to baseline community indices.

**SEC. 305. MAINTENANCE OF EFFORT.**

The Secretary may not make a grant to an applicant under this Act unless such applicant agrees to maintain the expenditures of the applicant for the purposes for which the grant is awarded at a level equal to not less than the level of such expenditures maintained by the applicant for the year preceding the fiscal year for which the applicant is applying to receive the grant.

**SEC. 306. DEFINITIONS.**

As used in this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(2) CHILD.—The term "child" means an individual between the ages 5 and 10.

(3) YOUTH.—The term "youth" means individuals between the ages 10 and 21.

(4) AT-RISK YOUTH.—The term "at-risk youth" shall have the meaning given such term in guidelines utilized by the Centers for Disease Control.

**SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this Act, \$250,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1997. Of the amounts appropriated for each fiscal year—

(1) 45 percent of such amount shall be made available to carry out title I;

(2) 45 percent of such amount shall be made available to carry out title II; and

(3) 10 percent of such amount shall be made available to carry out section 401.

**TITLE IV—FEDERAL COORDINATED YOUTH SERVICES INITIATIVES**

**SEC. 401. SPECIAL PROJECTS OF A NATIONAL SIGNIFICANCE.**

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall

establish and administer a special projects of national significance program to award direct grants to public and nonprofit private entities to enable such entities to fund model programs designed to integrate health and social services, including HIV prevention, provided to special populations at risk as defined in subsection (c).

(b) GRANTS.—The Secretary shall award grants under subsection (a) based on the—

(1) need to provide health and social services, including HIV prevention services, to meet the special needs of subpopulations of youth living in high risk environments who may otherwise not be provided with assistance under this Act;

(2) need to assess the effectiveness of a particular prevention or service model or collaboration strategy; and

(3) potential replicability of the proposed activity in other localities.

(c) SPECIAL PROJECTS.—Special projects of a national significance to be funded under subsection (a) may include those projects that are designed to target—

(1) runaway, homeless, or street youth;

(2) immigrant or migrant youth;

(3) youth involved in the juvenile justice system;

(4) youth involved in the foster care system;

(5) youth involved in gangs;

(6) youth with a history of substance abuse;

(7) youth with HIV disease;

(8) adolescent parents; and

(9) Native American youth.

**SEC. 402. FEDERAL COUNCIL ON CHILDREN, YOUTH, AND FAMILIES.**

Section 918(k) of the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (42 U.S.C. 12314(k)) is amended—

(1) in paragraph (3), by striking out "and" at the end thereof;

(2) in paragraph (4), by striking out the period and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following new paragraphs:

"(6) identify program regulations, practices, and eligibility requirements that impede coordination and collaboration and make recommendations for their modifications or elimination;

"(7) develop recommendations for creating jointly funded programs, unified assessments, eligibility, and application procedures, and confidentiality protections that facilitate appropriate information-sharing; and

"(8) make recommendations to Congress concerning legislative action needed to facilitate the coordination of education, health and social services for in school and out of school youth."

**SEC. 403. EVALUATION AND REPORT TO CONGRESS.**

(a) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the appropriate committees of Congress a biannual report concerning the implementation of this Act. Such report shall include a summary of the data provided in the annual reports submitted to the Secretary under section 304, and an assessment of the progress achieved by grantees under this Act in stabilizing and improving participant outcomes and reducing adverse consequences of adolescent risk taking behaviors and the absence of necessary services in the communities served under this Act.

(b) EVALUATION.—

(1) IN GENERAL.—Not later than 54 months after the date of enactment of this Act, the

Secretary shall, through the awarding of grants and contracts to independent entities with expertise in adolescent health and youth development, provide an evaluation of the programs funded under this Act to the appropriate committees of Congress. A representative subset of grantees under each title shall be selected with an equitable geographic distribution, and urban and rural representation. The evaluation process shall commence not later than 12 months after the date of enactment of this Act, with data to be collected under subparagraphs (B), (C), (D), and (E), at yearly intervals. The evaluation report shall be conducted by individuals who are not directly involved in the administration of the programs funded under this Act. The final evaluation report shall include—

(A) the program goals and objectives identified in the comprehensive services plans of grantees, and the degree to which they reflect the unmet needs and service gaps of the applicant area as delineated in the grant application;

(B) what services were provided by grantees under this Act, who the recipients of the services were, and an assessment of whether high risk youth actually received services provided by grantees, including youth who are out of school, runaway or homeless, and adolescent parents;

(C) the impact of a comprehensive and coordinated service delivery system on the baseline health and education indices identified in the comprehensive services plan of the grantee, and an identification of other relevant factors affecting the health and education outcomes among target youth in the service delivery area during the grant period;

(D) the expansion of services achieved in the service delivery area, both through enhanced planning and coordination of services and the provision of new service capacity;

(E) the degree to which increased utilization of services has paralleled service expansion;

(F) the process by which broad based input was achieved in the formulation of comprehensive services plans on an ongoing basis;

(G) the methods by which coordination of services was undertaken administratively among agencies and providers, the degree to which service coordination was achieved, and the barriers that impeded the coordination of services; and

(H) the sustainability of local partnerships, consortia, and State comprehensive service delivery networks at the completion of the Federal grant period.

(2) APPROPRIATIONS.—The Secretary shall use amounts made available under section 2711 of the Public Health Service Act to conduct the evaluation under this section.

#### COMPREHENSIVE SERVICES FOR YOUTH ACT OF 1992 SUPPORTING ORGANIZATIONS

##### HEALTH GROUPS

AIDS Action Council  
 American Academy of Child and Adolescent Psychiatry  
 American Academy of Pediatrics  
 American Association for Marriage and Family Therapy  
 American College of Physicians  
 American College of Preventive Medicine  
 American Counseling Association  
 American Dietetic Association  
 American Medical Association  
 American Nurses Association  
 American Orthopsychiatric Association  
 American Psychiatric Association

American Psychological Association  
 American Psychological Society  
 Center for Population Options  
 National Association of Community Health Centers  
 National Commission on AIDS  
 National Minority AIDS Council  
 National Prevention Coalition  
 National Mental Health Association  
 National Association of Prevention Professionals and Advocates  
 Society for Adolescent Medicine

##### EDUCATION GROUPS

American Association of School Administrators  
 American Federation of Teachers—AFL/CIO  
 American School Health Association  
 Council of Chief State School Officers  
 National Congress of Parents and Teachers  
 National Association of School Psychologists  
 National Education Association  
 National Parent Teachers Association

##### GOVERNMENT

National Association of State Mental Health Program Directors  
 United States Conference of Mayors  
 United States Conference of Local Health Officers

##### CHILDRENS AND YOUTH GROUPS

Children's Defense Fund  
 Child Welfare League of America  
 National Collaboration for Youth  
 Member Organizations include:  
 American Red Cross  
 Association of Junior Leagues International  
 Big Brothers/Big Sisters of America  
 Boy Scouts of America  
 Boys and Girls Clubs of America  
 Camp Fire  
 4-H  
 Girl Scouts of the U.S.A.  
 Girls Incorporated  
 Junior Achievement, Inc.  
 The National Network of Runaway and Youth Services  
 The Salvation Army  
 70001 Training & Employment Institute  
 YMCA of the USA  
 YWCA of the USA, National Board

##### SUPPORTERS OF SCHOOL-BASED AND SCHOOL LINKED CLINICS

Academy for Educational Development  
 American Association of Child and Adolescent Psychiatry  
 American Association of University Women  
 American Jewish Congress  
 American Optometric Association  
 American Public Health Association  
 Association for the Advancement of Health Education  
 Catholics for a Free Choice  
 National Alliance of Black School Educators  
 National Association of Counties  
 National Council of Jewish Women  
 National Health Education Consortium  
 New Jersey School Based Youth Services Program

#### SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES HEARING HELPING AMERICA'S YOUTH IN CRISIS, JULY 28, 1992

##### PANEL I

Arthur Ashe, President, Safe Passage Foundation, New York, New York, accompanied by Chanada Pinckney (program participant, age 17) and Kevin C. Dowdell (Co-founder and Treasurer, Safe Passage Foundation)

Harold Howe II, Professor Emeritus, Graduate School of Education, Harvard University, (former US Commissioner of Education), Cambridge, Massachusetts.

##### PANEL II

Joseph Fernandez, Ed.D, Chancellor, New York City Public Schools.

Judith Kurland, M.D., Commissioner, Dept. of Health and Hospitals, Boston, Massachusetts, accompanied by Phillip Veysey (teacher, Dearborn Middle School), Roxbury, Massachusetts.

The Honorable Jay Bradford, State Senator, Pine Bluff, Arkansas, accompanied by Ms. Jennifer McCollough, and her father John McCollough, Forrest City, Arkansas.

##### PANEL III

Maria Arana, Representing the National Parent Teacher Association, Los Angeles, California.

Donna Zimmerman, Director, St. Paul Health Start, St. Paul, Minnesota.

Laura Secord, FNP, Clinic Manager, Ensley High School Health Center, Birmingham, Alabama.

#### TESTIMONY OF ARTHUR ASHE BEFORE THE SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES HEARING ON HELPING AMERICA'S YOUTH IN CRISIS, JULY 28, 1992

Senator Kennedy and Members of the Senate Committee on Labor and Human Resources, I am pleased to offer some observations and comments on the proposed Comprehensive Services for Youth Act of 1992. It is understood that the objective of this proposal is to provide health and social services to at-risk youth in either school-based and/or community-based youth centers. The institutional and organizational support of a variety of experts and groups is already on record in support for this proposed Act. I would like to add my unqualified support for the stated objectives so listed.

Few groups of public figures are called upon as often as athletes to serve as role models and symbols of inspiration for at-risk youth. Since a substantial percentage of these young Americans are minorities who feel intense alienation from mainstream America, I am especially interested in the services offered. In addition, as a board member of the Aetna life and Casualty Company for the past ten years, I have become all too familiar with real life beyond the numbers and statistics. The Aetna shares my concern that America needs to more directly address our collective health needs, especially for our children. The innocent among us—our children and the working poor—suffer far more than necessary or should be acceptable.

There is a quintet of troubles that is already called The Fateful Five by some in minority neighborhoods as it relates to health: Cancer, Heart Disease, AIDS, Drugs and Violent Crime. Who would have thought as little as fifteen years ago that homicide would be listed as a health concern.

I have been involved with several youth sports and mentoring groups: the U.S. Tennis Association's National Junior Tennis League; Virginia Heroes, Based in Richmond; and the Safe Passage Foundation which operates education through sports in Newark, New Jersey and Albany, New York. The Safe Passage Foundation is so named precisely because we realized that safe passage from childhood to adulthood was in many cases just a dream for at-risk youth. We know of pre-teens with ulcers from fear for their personal safety.

And now AIDS. At the recently concluded International AIDS Conference in Amster-

dam, which should have been held in Boston, experts noted that half of the expected future AIDS victims—between 22 and 55 million worldwide by the year 2000—will be women, which means more children born HIV-positive. Though AIDS is among the most serious of concerns, the lack of overall health, education and support services is apparent. I am aware, as are most of us, that budgetary considerations influence the voting on this proposal, but I'm not sure no one who has to vote Yes or No, live without the basic services for their own children. Our children need comprehensive assistance NOW!

AIDS experts tell me that the most effective way to contain the spread of AIDS is through education in supervised settings. No dependable vaccine is expected for at least another five years. Human trials should begin with the most promising among them in 18-24 months. But in the meantime education, more than anything else, is the key ingredient in the mix of services to be offered to help. We can pay a few hundred or a few thousand dollars per child now through this proposed Act or a projected \$125,000 per AIDS victim by 1997. I strongly urge its passage.

REMARKS OF CHANDA PINKNEY BEFORE THE SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES HEARING ON HELPING AMERICA'S YOUTH IN CRISIS, JULY 28, 1992

Hello ladies and gentleman. Living in America as a teenager in this day and age has its ups and downs. Average teenagers have the same problems: deciding on what classes to take, what college to attend, and what outfit to wear, but inner city kids are not average teenagers. Inner city teenagers are at high risk of using and selling drugs; abusing alcohol and having irresponsible sex. This often leads to dropping out of school, getting pregnant, getting shot, or getting arrested. I am here to give you a first hand look at the inner city through my eyes.

My name is Chanda Pinkney. I am a 17 year old student of the Ashe-Bolletteri Cities Program in Newark, New Jersey. I live in an industrious, money-making city. Even though I see some parts of town making progress, poor neighborhoods seem to constantly be in a recession. I have lived in a lot of these communities. My mom and I moved around a lot so she could find work. Growing up was hard. I never had a chance to get comfortable in any one place or make close friends. I don't remember ever going to the same school for the entire school year until I was in sixth grade. I never had a role model that I could believe in. I was constantly disappointed by the people I looked up to and felt like they were all hypocrites. I decided a long time ago that the only person I could really believe in was myself. If I believed strong enough in myself, and if I set out to make the most of my life, then I could succeed and could become a role model for others.

To succeed, I have had to overcome all of the problems that teenagers must face—the many malignancies that are killing the people in my community and robbing them of their dreams—drugs, alcohol, teenage pregnancies, school dropouts, unemployment and violence. This describes my neighborhood perfectly. In fact, it describes every neighborhood I have ever lived in. From the moment I wake up to the second I go to sleep I am faced with these realities. It is hard to keep a positive attitude because we are surrounded by so much negativity. For example, in my building, there is a guy around my age

who sells drugs to support his family and his mother's drug habit. They often fight and sometimes he beats her. Recently, she had to call the police and have him arrested. Their story is not unique, it happens in my neighborhood all the time. He is very mixed up, he needs help, and so does his mother. He needs a real job. We all need a place to go to get away from drugs and alcohol; get information about sex—especially safe sex; learn about how to get back in school, how to escape the violence, and how to succeed in life.

Most of the people in my neighborhood will eventually become a statistic. I myself could have done the easy thing and become a statistic. It would not have been very hard, but through the ABC Program, I have become a different kind of statistic. I am now part of the winning team that has beat the odds. I have found something that is positive and stayed with it. The ABC Program uses tennis to attract kids to learn more and to experience positive aspects of life. As a free, year-round program for all inner city youth, ABC uses tennis as the appetizer and the off-court session, a half-hour discussion time, as the real meal. The off-court session is a time where we literally sit down and learn something that will help for the rest of our lives; from self-respect to life and career planning. The ABC program goes right to where the problems are—the "heart" of the inner-city. We have learned that we don't have to do the same thing as people around us or before us; we can start our own trend and, hopefully, future generations will follow in our footsteps.

Poor communities need more programs like ABC and school-based centers to help kids better themselves and their communities. If more health services were offered in our schools, we would not have to wait until things get so bad that we end up in the hospital emergency room. Instead we would receive preventive services and might keep healthy. We also need social services to help with family problems, personal problems, and peer pressure. If these services could be provided in our schools, many of my friends might not drop out—others might just drop in! I have the ABC program to help me. I am lucky. My friends are not so lucky. They need a place to go that will give them a chance to better themselves and help them be an asset. They need something that will prepare them mentally, emotionally and physically for adulthood in America. In school kids, out of school kids, ALL KIDS—We are not bad people. We have had bad experiences. We can make something of ourselves and we want to. All we need is some support, some services and some sense of hope that our needs will be taken seriously. I think that is what you are trying to do here with your bill. I think it will make a big difference. Thank you.

TESTIMONY OF HAROLD HOWE II, SENIOR LECTURER, HARVARD GRADUATE SCHOOL OF EDUCATION, SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES, JULY 28, 1992

(Hearing on the critical importance of comprehensive health and support services for youth and the need for school-based or school-linked programs)

Mr. Chairman, I am pleased and honored to meet again with you and your colleagues. The main reason I came here today is that I believe you have incorporated into legislation some ideas that are absolutely essential to the successful development of children and youth in the United States. These ideas have been around for a long time, but not until now have they been so effectively cap-

tured in a public document for public action. I begin by congratulating you and your staff on the incisive and comprehensive nature of the Comprehensive Services for Youth Act of 1992.

First of all I want to explain why this legislation, which launches a relatively modest program in terms of Federal dollars, is so significant. For the last 10 years or more, Americans have become increasingly concerned about the success in school of their children and youth. They have interpreted declining test scores and lack of preparation for jobs requiring high literacy levels as signals that the educational capacities of schools have eroded. And they have mounted extensive efforts to improve schools. These efforts have been justified by the argument that the United States will compete more successfully in a global economy with a better educated work force. Although there may be some validity in this widely supported viewpoint, there is also a major omission. It fails to recognize all the other influences in the lives of children and youth, and also to recognize that those influences constitute a significant part of a young person's education. Think of how children and youth spend their time; from birth to age eighteen less than ten percent of their time is spent in schools, and the remaining ninety percent or more is spent within families and communities and the association that they provide. Unless the stimulation, caring and services needed by the young to mature successfully are available in addition to schooling, the idea that academic improvement of schools will solve all their problems is both mistaken and naive. Here are some points to consider under this general rubric:

Poverty among children has grown apace from one child in seven in 1970 to one in six in 1980 to one in five today. Poverty leaves children with diminished necessities of life—shelter, nutrition, health care, and affection. Poor parents love their kids just as much as the rich, but their struggle for survival can limit their capacity for effective caring.

Rapid changes in American families ranging from both parents working to a rapid growth of single parent families leave children and youth with less attention from adults outside of school. Half of our single parent families are living in poverty.

These changes have powerfully influenced American children and youth by eroding to some degree the effectiveness of what might be called their nonschool education, that provides a foundation for success in school.

As these pressures have accumulated in the lives of our young people, they have been magnified by the erosion of the publicly supported safety nets we provide to deal with them. The real value of AFDC and other payments to sustain a decent life for the poor has declined, and the flight overseas of millions of manufacturing jobs has landed a growing number of young families in low paying full-time employment that keeps them in poverty—often without health insurance.

The countries with which we compete in the international economic scene have vastly better safety nets for their at-risk families than we do in the U.S.A.

Finding ourselves in this situation as we head for the twenty-first century, we require several major initiatives, and this proposed legislation starts us toward one of them. We must make our existing programs serve the needs of at-risk families and children as efficiently as they possibly can. The way to do that is to break down the barriers that keep separate our programs for health, education,

job preparation, mental health, drug counseling, recreation, and the like. We must rethink the delivery of these services to serve their clients better. This bill will help to do just that.

The schools have one great advantage in helping to bring this transformation about. All children over age five and most youth are in school. So your preference for locating health and other services in school makes sense. It does not mean that schools must assume the costs of such services. Schools also have a major role to play in referring youngsters and parents to services that are not located in schools.

The concept found in the legislation that new partnerships must be formed in communities to create a capacity for joint planning that exists in only a few places today is right on target. It recognizes that there are numerous ways to organize such endeavors and asks only that the schools and other agencies be involved. A recent study of school boards in the U.S.A. sponsored by the 20th Century Fund in New York came up with the same conclusion. It argues that every school district needs a parallel agency to its school board. A Youth and Children's Services Board to oversee nonschool services for young people, and to encourage cooperation and identify gaps in services. A few cities already have such agencies.

The school reform movement in the U.S.A. too frequently operates in the assumption that we can fix the schools so that the schools can fix the kids no matter what we do to or for children outside the schools. That is both an erroneous and destructive assumption and your new legislation is a step forward in doing something about it.

School critics who are eager to raise test scores often fail to recognize that the learning which tests measure has its origins in families and communities as well as in schools. The Educational Testing Service [ETS] has just published a study of these family-based effects on test results. It is entitled "America's Smallest School: The Family." Its concluding section (p. 42) carries the following message:

"As long as the focus of attention remains solely on how we can make the schools do a better job, it is quite unlikely that the nation can reach such ambitious goals as being first in the world in science and mathematics achievement by the year 2000. The efforts of schools are launched from the platform of readiness and support for learning which are products of the home. A clear-eyed assessment of the family as school dictates a sobering conclusion that a large proportion of homes are not providing very high platforms for the schools to build on."

The relationships implied in this statement between families and schools powerfully support the significance of your new legislation. By enhancing the effects of health services and other supports for both individual youngsters and their families, it will buttress the role of the family as educator.

The system you have proposed to elicit improved local and/or statewide planning and coordination for health and other services that young Americans need is both flexible and workable. I particularly like the feature of the proposed legislation that allows Federal grants to encourage new efforts of this kind and also supports already existing projects, if they will use the funds to extend their reach to new services and new clients.

The detailed requirements for developing a plan as well as for evaluating it are clear and well organized. They recognize that carrying

out the cooperative and collaborative purposes of the program is not an easy task. For many years, local, State, and national agencies have become accustomed to working independently even though many of them served the same clients.

Getting together to serve those clients better rather than protecting their own turf doesn't come easily. For the last 6 years, I have been chairing the William T. Grant Foundation Commission on work, family, and citizenship. The main focus of its work has been the needs of teenage youth in American society. In its final report published in 1988, *The Forgotten Half*, the Commission developed a chapter entitled "Toward More Responsive Communities." Among other initiatives it recommends (on page 64-5) the "Coordinating of Service Delivery" as suggested in much greater detail in your legislation. I enclose with this testimony a copy of that chapter.

In addition, the William T. Grant Foundation supports continued follow-up activities under the leadership of Samuel Halperin, who was study director for "The Forgotten Half." His work has resulted in the formation of the education and human services consortium, a group of about 30 agencies working on collaboration at the community level for improved service delivery to children and youth. This group has now published three additional pamphlets that may be of interest to your committee and its staff. I have arranged to have copies of these materials delivered to this hearing. If additional copies are needed, they may be ordered from the William T. Grant Foundation, 1001 Connecticut Avenue NW, Washington DC 20036-5541. Telephone 202-775-9731. The titles of the three recent publications are:

1. "What It Takes: Structuring Inter-agency Partnerships to Connect Children and Families with Comprehensive Service" by Atelia I. Melaville and Martin J. Blanks.
2. "Thinking Collaboratively: Questions and Answers to Help Policy Makers Improve Children's Services" by Charles Bruner, former State Senator in Iowa.
3. "Serving Children and Families Effectively: How the Past Can Help Chart the Future" by Peter B. Edelman and Beryl A. Radin.

I would like to make a final point about the proposals that will be funded under this legislation. I hope that they will embrace two major purposes: (1) Dealing more effectively with serious problems that often handicap the lives of young people such as dropping out of school, involvement with drugs, and irresponsible sexual relationships; (2) Developing improved community-based supports for children and youth that will prevent their involvement with such problems. I am listing here a quotation "The Forgotten Half," because I think it gives powerful emphasis to the concept of the prevention of negative behaviors:

There was an ancient Cornish custom used to test whether a person was insane. The individual was confronted with three elements: a spigot, a bucket, and a ladle. As water flowed from the spigot into the bucket, he was instructed to keep the water from overflowing. No matter how tenaciously and effectively he ladled water from the bucket—keeping it from overflowing—he was judged insane if he failed to turn off the spigot!

By that ancient standard we behave in a crazy way, picking up the pieces of damaged children—at greater and greater cost to society, with more and more dire consequences—rather than curb the supply. What is it in our character—in the way we organize and

represent interests in this democratic society—that causes us to treat the consequences of damage far more vigorously than undertakings to prevent it?—From address by Emory Bundy (Director of Children's Trust Foundation in Seattle) March 9, 1988.

I am grateful for the opportunity to appear here, and I am glad to respond to questions you may have.

TESTIMONY BY NEW YORK CITY PUBLIC SCHOOLS CHANCELLOR JOSEPH A. FERNANDEZ AT A HEARING BEFORE THE SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES, JULY 28, 1992

Thank you, Senator Kennedy and members of the Committee for the invitation to address your committee today on such an important issue as the health of our children.

As Chancellor of the largest public school system in the country, with nearly one million students (twice the size of the next largest system—Los Angeles) and a budget of nearly \$7 billion, I struggle on a large scale to respond to the needs of the children and the challenges they face as they prepare to inherit this nation. Allow me to review some critical facts and figures:

39% of our students are on public assistance;

65% are eligible for free or reduced lunch; More than 3,200 students live in temporary housing, many others in grossly overcrowded conditions;

The Centers for Disease Control Youth Risk Behavior Survey found last year that:

18.4% of our students had seriously contemplated suicide;

31% of our high school students had carried a weapon on one or more occasions during the month prior to the survey;

13.4% of our students reported having had their first sexual intercourse prior to the age of 13; and

6.2% of our students reported having been told by a doctor or nurse that they had a sexually transmitted disease, including HIV infection.

These shocking numbers are our future and require our immediate attention. I applaud Senator Kennedy for his innovative legislation and fully support the "Comprehensive Services for Youth Act of 1992". By demanding coordination and collaboration across agencies and institutions dedicated to youth issues, this legislation forces us to abandon our institutional armor, compels us to focus on the needs of the child, not the needs of the agency. We must stop asking "Whose kid is this?" and start asking "How do we develop and coordinate services to meet the needs of our children? They are all of our children and we must work together to provide services that meet their needs, to enable our youth to learn and thrive.

The high cost to society of the unhealthy child has many implications. Take the case of tuberculosis: In New York City where we are experiencing a tuberculosis epidemic, a TR screening and prevention treatment costs approximately \$100 per child while hospitalization for a young person with tuberculosis costs an average of \$6,000 per child. The point is that an effective prevention strategy can save dollars as well as lives.

In New York City we are focusing aggressively on prevention. Some examples of our efforts to head off these high costs by providing a coordinated prevention program include:

Community schools are a collaborative project of the New York City Public Schools and a multi-service non-profit organization.

They provide a supplementary service plan at a school site that includes medical, dental, mental health and counseling services, recreational and athletic programs, and drug abuse and teenage pregnancy prevention programs. Funded with a combination of public and private money, these schools are "beacons" in their communities—providing comprehensive resources to children and their families in a familiar and safe school setting.

Comprehensive Health High School Cabinets are coordinating councils organized in each borough of the City and staffed by a public school educator. The role of the cabinet is to identify service needs and coordinate health-related services and technical assistance to high schools. Membership includes representatives from the New York City Department of Health, the New York State Department of Health, local community based organizations serving young people and their families, parents, hospitals, medical schools, and primary care physicians.

Evaluation of HIV/AIDS Education Program: In order to ensure that our education program is of the highest quality and effective in meeting its objectives, we opened our doors to external evaluators from across the country to examine our strategies. To facilitate this effort, we enlisted the assistance of Dr. Karen Hein, Director of the Adolescent AIDS Clinic at Montefiore Hospital, Albert Einstein College of Medicine, who is a nationally recognized expert on HIV and adolescents. As a pro-bono consultant, Dr. Hein entered into a memorandum of understanding with us to coordinate the evaluation of our program and assist with program design and implementation.

Community Assistance Program in the Schools: After years of struggling to manage a multitude of contracts with a range of community based organizations to provide drop-out prevention services to students, the school system entered into a partnership with United Way of New York City. The United Way, with far greater knowledge of community-based organizations and their services, provides fiscal and program management for these contracts. The United Way manages approximately twelve million dollars of public funds, and donates an additional one million dollars of private money to support dropout prevention programs. They have been able to expand the number of agencies working with our schools and sustain high quality standards, as well as support programs that are truly community-based and accessible to the young people who need them.

Organizationally, we have also moved the New York City Public Schools in a direction of coordinated and comprehensive services. With guidance from the Division of Adolescent School Health of the National Centers for Disease Control, we created a new Division of Student Support Services. This Division combines, under one administrative rubric, substance abuse prevention, comprehensive health education, counseling, crisis intervention and drop-out prevention programs as well as services to young people living in temporary housing. This new administrative structure goes a long way to reduce duplication of services and ensure a high quality, coordinated approach to support the needs of children.

We have, however, encountered a major obstacle to this comprehensive effort. Federal funding, like state and local funding, comes in categorical packages, not designed to meet the needs of the child, but rather to meet the needs of the funding agent. Funds

allocated for substance abuse prevention can not easily be used for comprehensive health education or other risk reduction efforts. We have one bucket for substance abuse, another for dropout prevention and a third for health education. But children don't come in buckets, they come as whole people, and they require whole services—more cost-effective and a smarter way of doing business.

The "Comprehensive Services for Youth Act of 1992" emphasizes the importance of collaboration. I hope it will serve as a model for federal agencies to examine and redesign funding streams that support children instead of institutions.

For a school system as large as ours with a budget of 6.65 billion dollars—\$300,000 is not a great deal of money. But this is an important step for this Congress to take in addressing the needs of youth across America.

COMMISSIONER JUDITH KURLAND, DEPARTMENT OF HEALTH AND HOSPITALS, CITY OF BOSTON, TESTIMONY ON COMPREHENSIVE SERVICES FOR YOUTH, U.S. SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES, JULY 28, 1992

I want to congratulate Senator Edward Kennedy and the Senate Committee on Labor and Human Resources for introducing this important legislation, The Comprehensive Services for Youth Act of 1992. The Department of Health and Hospitals is taking the lead in Boston to implement the kinds of innovative collaborations that this legislation promotes.

In Boston and in cities across America, children and adolescents are facing a public health emergency of a new kind. Despite spending more for health care than any other country in the world, America's children are not receiving adequate and appropriate health care.

Dr. Robert Knouss, Deputy director of the Pan American Health Organization, estimates that barely half of all two year-olds in America's inner cities have been fully vaccinated—a substantially lower rate than all other countries in North America, Central America, and South America. As a result, the incidence of measles has skyrocketed, increasing 1,670 percent from 1983 to 1990. About 80 percent of measles cases in children from 16 months to five years of age could have been prevented by timely vaccination. Since measles is the first indicator of the effectiveness of the vaccine delivery system, the increase in measles is likely to be followed by outbreaks of other vaccine-preventable diseases. Every dollar invested in early immunization of children saves ten dollars in later medical costs.

The U.S. ranks number one in health care spending, but only 22nd in infant mortality and 21st in the number of children who live past the age of five—behind all other industrialized countries and even some developing countries. As a Nation, we spare no expense in providing the costliest high technology neonatal intensive care available anywhere in the world, but we shamefully fail to provide the appropriate prenatal care which would substantially reduce the need for infant intensive care.

In 1990, an estimated 12.2 million children and youth under 21 had no health care coverage. Nearly one third of Hispanic children and almost half of all African-American children are without public or private insurance.

The alarming spread of aids and other sexually transmitted diseases among adolescents—particularly in communities of color—substance abuse, teenage pregnancies at high risk of poor birth outcomes, and

teenage violence represent a new kind of health crisis which is the result of social and behavioral rather than biological causes. The health care system in the United States is ill-suited to address these problems.

We have a difficult challenge ahead. We can meet this challenge, but only if we respond to these new problems with new solutions and build strong collaborations between the schools, the health care system, and the communities they serve. The legislation which has been proposed to improve school-based health services by supporting innovative collaborations between public education and public health goes far to give educators and health professionals the tools they need to address the impending health emergency in a more effective way.

The public health crisis that children and young people face in our cities cannot be solved by medicine alone. New solutions are needed that go beyond the traditional boundaries of medicine to create a comprehensive network of health, education, employment, housing and social services for children and their families in a holistic way. What is needed is an integrated web of health services and education that strengthens families and communities and helps young people develop the awareness, values, hope and inner strength to make positive life choices and avoid the high risk behaviors which are the underlying cause of the health emergency they face.

Young people in America's cities can no longer afford the continuation of a status quo that provides separate services in a fragmented way and creates artificial barriers between the school, the health care system and the community. To successfully address this new health crisis, schools, public health agencies and community-based agencies have to work together to provide a coordinated continuum of care for children and adolescents in the school and in the community. To do this, we have to redefine the role of the school in the community, and the role of the community in the school.

Public education and public health are the two most important institutions for improving the lives of America's children. They are the places where children spend most of their structured time and receive the vast majority of their public services. Each, working separately, can do much to better conditions for children and adolescents. But the problems that young people face in our cities today have become so complex and so inter-related that we must now bring public education and public health together as interdependent parts of a comprehensive system—a whole which is greater than the sum of its parts.

As our Nation finally struggles toward providing some sort of comprehensive services for children and adolescents we must begin to reach them where they are. Adolescents utilize health services less than any other age group, but services that are convenient and caring, that meet young people where they spend most of their structured time, can change that. School-based health centers have proven their ability to increase the utilization rate among adolescents, particularly among African-American males who are the least likely to use existing health care services. Through children and adolescents, we must begin to reach their families with an integrated web of preventive health and education services that can address the root causes of the problems that children and families face in the cities of our Nation. In this way, we can provide services that are at the same time more effective, more appropriate and less costly.

## THE HEALTH EMERGENCY IN AMERICA'S CITIES

While the United States ranks number one in health care spending, the health status of the American people is below that of all other industrialized countries and even many developing countries. Nowhere is this disparity more glaring than in the cities of our Nation.

The spread of sexually transmitted diseases, particularly among adolescents of color, is a harbinger of the alarming transmission of AIDS among teenagers. The epidemic growth of sexually transmitted diseases indicates a disturbing increase in the same high risk sexual activities that spread HIV/AIDS, and sexually transmitted diseases make it far more likely that teenagers who engage in these high risk behaviors will contract AIDS.

In 1992, 30 percent of teenage students surveyed in New Haven, Connecticut reported that they had personally witnessed at least one violent crime in the previous year.

Abuse or neglect of an American child was reported every 13 seconds in 1990.

An estimated 7.5 million to 9.5 million children and adolescents are in need of mental health services. Fewer than one third of the severely emotionally disturbed children get the mental health care they need.

Nearly one out of every four children in America lives in poverty, and children under the age of six are more likely to be poor than any other age group.

Adolescents are less likely to use primary care physicians than any other group.

## COMPREHENSIVE STRATEGIES AND SOLUTIONS

In Boston, under the leadership of Mayor Raymond L. Flynn, we are working to address this public health emergency in a comprehensive way that provides a full continuum of health care from prevention and health education to primary care and counseling in the school and in the community.

The schools cannot solve the health crisis of children and adolescents by themselves. That is why we are building new partnerships through the Healthy Boston initiative—so that schools, the health department, neighborhood health centers, hospitals and community-based agencies can all work together to provide a continuity of care in school and community settings, and so that children and their families can receive a full range of coordinated services in the most appropriate way.

Our vision is to create a seamless network of care by integrating a number of elements into a coherent system:

Comprehensive school health services provided by health professionals, including a school-based health center in each public high school, to offer a full continuum of prevention, health promotion, primary care and counseling. To make this happen, we are working with the school department to create new partnerships between the schools and the department of health and hospitals, neighborhood health centers, hospitals, and community-based providers. Our goal is to address the public health emergency facing adolescents in the context of the overall health care system.

A new, more comprehensive and more effective kind of health education from pre-kindergarten through 12th grade that involves a skills-building approach that empowers young people to overcome peer and media pressures, helps them develop positive values and productive life goals, and helps them make informed decisions based on understanding the alternatives before them. To be successful, health education of a new kind needs to be combined with fundamental edu-

cational reform which gives students strong self-esteem, hope for a bright future, and a quality education that opens the door to strong economic opportunity.

A comprehensive initiative to strengthen the internal capacity of families and communities to identify their needs and determine how best to meet these needs through community coalitions that bring the education, economic development, health, social service and housing sectors together to address community and family needs in a holistic way.

What we are finding in Boston is that the schools cannot do it alone and the health care system cannot do it alone, but that by working together in a new collaboration of schools and health care, we can begin to effectively address the health crisis of children and adolescents in America's cities. The legislation which has been proposed represents an important step forward in helping us meet the difficult challenge ahead, both in Boston and in all of America's cities.

On behalf of the people of Boston and the U.S. Conference of Local Health Officers, I strongly support this legislation submitted by Senator Edward Kennedy and hope for its speedy passage.

## TESTIMONY OF PHILLIP VEYSEY BEFORE THE SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES, JULY 28, 1992

Mr. Chairman and Members of the committee, my name is Phil Veysey. I have just completed my twenty-third year teaching at the Dearborn Middle School, located in the Roxbury section of Boston. I teach seventh grade Physical Science and eighth grade Life Science. For between 40%-50% of my current students, I have taught one or both of their parents. Over the years, I have seen the changes that have affected families and the community. It is from this perspective as a classroom teacher that I wish to share with you today many of my reasons for wanting to see health care clinics in public schools. I presume we can all agree, as a starting point, that children learn and develop best when they are physically and emotionally healthy. But the current system of delivering health care services is not working, especially for pre-adolescents and teenagers. There are many reasons for this.

First of all, many parents have trouble negotiating the health care system because of a lack of knowledge about how it works and what services are available. This is compounded for immigrants new in the country and language minorities who have difficulties with English. Often students, even elementary students, must miss school in order to accompany parents to the hospital to translate. This past year, one of my students was late at least three times a week because she was the only person in her family available to translate for her bed-ridden, diabetic grandfather and the visiting nurse. Her school work suffered as a result.

Secondly, many families rely on hospital emergency rooms as their primary source of medical services. This used to be an urban phenomena, but with the huge loss of jobs in recent years and the resulting termination of medical insurance, it is affecting more and more suburban families as well. Since parents often wait too long to bring their children to the hospital, the medical problems tend to be more and more, and harder to treat. Not only does this tax the limited capacity of emergency room facilities and staff, it is also a more expensive mode of dispensing medical care.

Emergency rooms can also be a frightening experience for children whether they are

seven or fifteen. ER's often resemble battlefields, with the coming and going of ambulances, the scurrying around of staff, the sight of the wounded and dying being rushed in and out of surgery, the stress and emotion that permeates the atmosphere. Children come to equate medical care with these types of emergency room stress. They will try to avoid the situation as much as possible.

We see the results in the classroom. Parents send children to school sick with fever or contagious diseases and tell them to "see the school nurse". In the meantime they are infecting other children and school personnel. Children also come to school with bad cuts, burns, with broken bones, and bad sprains. I have seen students with colds that linger for two or three weeks because no one is taking care of them. The number of examples that could be cited is overwhelming. However, let me share a few with you.

Last year, several teachers noticed a seventh grade girl squinting and holding her papers close to her face. When asked if she needed glasses, she said "yes." Her previous pair broke over a year and a half before, and she was waiting for her father to buy her a new pair. It took four teachers and the school nurse almost a month before they convinced her mother and father to take her to a clinic for an updated vision test. It took over four months to convince the father to buy the glasses—four months of telephone calls, home visits, and threats. When she finally bought the glasses, her whole classroom demeanor changed. She became actively involved in the class. She did her homework regularly. She took pride in herself and in her work. I checked the glasses one day. Judging from the strength of the lenses I don't understand how she could have seen anything without them.

Schools regularly have to exclude students because they do not have the proper inoculations. This is state law. This usually involves students transferring into the schools including recent immigrants. Several years ago the state strongly reiterated the policy because of the rise in measles among high school and college students. One middle school found almost half of their student population—almost 400 students—without the proper immunizations. Notices were sent home informing the parents of the situation and of the state-imposed deadline for compliance. Yet about 330 of those students could not be readmitted to school after winter vacation because they had not yet received their inoculations. Some students were out of school for over six weeks.

One day I met a former student on the street and stopped to talk. She was sixteen at the time, had a three month old child, and was still enrolled in high school. She had just returned from bringing her child to the hospital. They told her that the baby was severely dehydrated. Why? Because no one had ever told her infant babies need water, not just formula.

A teacher I know regularly keeps sanitary napkins in her desk for girls who are unprepared. One time a girl asked for several napkins over a span of ten days. When the teacher started to question the girl, she found out that she usually had a long period with a heavy menstrual flow. Knowing that this was unusual for an eighth grader she pressed the issue. It turns out that the girl had recently been returned to her mother's custody from foster care after her mother had completed a drug rehab program. The mother's new boyfriend drank heavily and was making sexual comments to the girl. The mother could see

what was happening. Instead of confronting the situation, the mother was slipping back onto drugs. The girl feared for her own safety and for her mother's well-being. She was afraid she would have to go back into foster care. The tensions were affecting her health and were being manifested in her menstrual period.

Another student diagnosed with the sickle cell trait missed almost four months of clinic appointments because the parents couldn't get time off from work. A teacher finally took him over school vacation.

I know it sounds strange to hear that parents couldn't take their own child to the doctor, even knowing the seriousness of the medical condition, but this is the reality. Many of our parents work in low paying service industry jobs. They often don't have health benefits or sick pay. They are threatened with being fired if they miss work. Although the story of the boy with sickle cell trait occurred over ten years ago, the employment situation is much worse today. Parents are desperate to hold onto the jobs they have.

Another student at my school lost a permanent tooth. The computer teacher queried the child, wrapped the tooth in wet towels and then took the mother and child to the hospital to have the tooth reimplanted. She made sure that the child followed the doctor's directions to the point of having the child rinse his mouth three times a day in her classroom, and calling the home on weekends.

Physical examinations are a major means of detecting medical problems early. They are also necessary for things like summer camp and participation in school sports. Yet it can sometimes take weeks for a child to get such an exam. Some students on our track team this year missed half of the track meets because they couldn't get their physicals any sooner. If the exams could have been done in school this would not have happened. Incidentally, two teachers and the school nurse spent at least six hours trying to arrange physicals for these students—time that could have been spent differently. As teachers, we know that these children cannot begin to learn until their physical and emotional needs are dealt with. Yet we cannot deal with them ourselves. We have gone beyond the point where the school nurse can simply put on band-aids, and send the child back to class. Schools are simply not equipped with the resources, expertise or personnel to provide the necessary services. Nor should we be expected to. Schools do, however, provide a site where medical sources can be delivered effectively to those most in need of them, by those most qualified to deliver them.

I believe that school-based clinics should provide, at a minimum, five basic services:

1. Regular screening and physicals
2. Inoculations
3. A mental health component, including on site both walk-in and long-term, counseling
4. Referrals to other agencies and health care providers.
5. Health education programs presented in conjunction with regular school personnel.

Regular screening, physicals and inoculations are pretty straight forward and don't need further explanation. I would, however like to expand on the last three.

Having on-site counseling services is, to me, one of the most important features of school based clinics, especially for middle and high school students. In addition to the normal problems of adolescence and growing

up, our students physical environment is often filled with violence, death, alcohol, drugs, and/or parental neglect and abuse. Children are being overwhelmed by pressures you and I never had to face when we were their ages. These emotional issues have to be dealt with the same as physical problems. But it is these same emotional programs that teachers are least prepared to deal with.

Children (and adults) need to be able to talk through the conflicts and insecurities, the turmoil they are going through. They need to sort out the pieces to see and seek alternatives before they can make the decisions and take the actions necessary to regain a positive grip on reality. They bring these problems to the people they trust most, the people they see everyday—their teachers. Yet most classroom teachers have not been trained to counsel these types of problems. Nor do we have the time or the energy to embark on the long-term nature of such counseling.

Referring students to the appropriate outside agencies for service should also be done in a more effective manner. I have had many students come to me over the years to talk about their problems. But when I have to teach about 125 students every day, there is not much time to sit and talk. Somehow, I usually find the time within the next couple of days. When I learn what is confronting the student, I soon realize that the problem is beyond my capabilities to resolve. I must suggest others for the student to see. It often takes hours of my time to find the appropriate services and then more likely than not the student never goes because they are too scared, or they don't have transportation, or they don't want to involve their parents.

Clinics that function as part of the school community provide a sense of control of ownership for the student. The physical setting is familiar. The staff members become familiar faces. Relationships develop. Teenagers are very selective about whom they trust. They make judgments based on their own observations and their friends experiences. They will not open up to just anyone. This is one of the reasons the current system of health care delivery is not working for this age group. As the reputation of the clinic's staff grows, more and more students will partake of the services.

The relationship between the instructional staff of the school and the health care staff will also grow. Teachers will be able to refer students to people they know and work with. Classroom teachers see kids at close hand for at least five and a half hours a day. We live in the same relatively small rooms and hallways with them. We talk with them and listen to them. We often see problems develop and can try to intervene before they get out of hand. But we must have a place to send kids. We cannot do it all ourselves. Our primary function is still to teach the 25 to 30 students in each of our classes.

Another component that is generally missing in students lives is explicit instruction about how their bodies function, the connections between diet and health, how to protect themselves from diseases and abuse, the dangers of alcohol and drugs and how they lead to direct damage of the body, how to deal with violence and death, how to make good decisions and choices about their futures. Unfortunately, too many school systems have cut out "health" as a separate subject in these times of budgetary restraint. These topics are just not addressed in a coherent, comprehensive manner.

Programs that are collaborations between health care providers and classroom instruc-

tors will help fill this void. Students will often listen more intently to health professionals than to regular teachers—especially if they can go back to these professionals with personal questions and inquiries.

African-Americans, Hispanics, and Native Americans are at increased risk for high blood pressure, heart attack, strokes, elevated cholesterol, diabetes, and asthma. Yet the risk factors can be decreased by lifestyle changes. Young people cannot make these changes if they do not know about them or understand the importance of such changes. Joint programs, such as those described above will go a long way toward providing such knowledge.

There is another advantage to having health clinics in the schools—follow up medical care. If a child goes to a doctor, whether in an emergency room setting or a clinic, he or she very often doesn't understand the treatment. Children just don't seem to be able to "hear" what is being said. They need to be able to have instructions translated into everyday terms, to hear the directions more than once. School-based clinical staff can follow up to make sure students are following treatment guidelines. Students can drop in for clarifications. Outside clinics might want to follow up patients in the same way, but they generally lack the personnel and/or resources to do so. Since school based clinics are right there with the students, follow up is much easier.

In summary, school-based health clinics would have the following effects:

1. Students would enjoy a high level of general health.
2. Problems could be dealt with before they became more serious and expensive to treat.
3. Expensive facilities, such as hospital beds find emergency room staffs, will be freed up to do the job they were designed for.
4. Students will learn life long health habits. They will learn how to negotiate the health care system for both themselves and their families.
5. As a society, we will be moving toward the goal of preventive medicine.
6. Classroom teachers and school personnel will be freed up to do the all important job of teaching.

As a classroom teacher, I ask that you give me and my millions of colleagues across the country, the opportunity to do what we do best—to educate the young people who are our future. We cannot be all things to all people. Let us teach!!!

TESTIMONY OF THE HONORABLE JAY BRADFORD, STATE SENATOR, ARKANSAS DISTRICT NO. 8 BEFORE THE U.S. SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES, JULY 28, 1992

Mr. Chairman, and Members of the Committee, I am Jay Bradford, a State Senator from Pine Bluff, Arkansas. I am here to offer a few comments concerning school-based clinics from the perspective of a state legislator who has worked closely with my state health department, the governor's office and fellow state legislators to provide primary health care to what we consider our most valuable resource, our children.

As you may have heard recently Arkansas is a small, poor, rural state. Children under the age of 18 comprise twenty-six percent of our total population of 2.3 million. Twenty-seven percent of our children live in poverty. Only three other states have a higher percentage of children living in poverty. Twenty-seven percent of our children come from single-parent families. We have an exceeding high teenage pregnancy rate. Currently, only

five other states have a higher teenage pregnancy rate than Arkansas. Because so many of our children are eligible for Medicaid, the percentage of children who lack insurance may seem artificially low at 28.7 percent. However, our state only serves approximately one-fourth of those children eligible to receive care through the Medicaid program. Recent state revenue shortfalls are seriously threatening even that level of service.

These facts, coupled with the appointment of Dr. Joycelyn Elders, a pediatrician, as the director of the state health department resulted in our state looking at the potential of establishing school-based clinics to provide basic health care for adolescents. Dr. Elders strongly believed that the children of the state were lacking adequate access to basic health services. She felt that through school-based health clinics, one-fifth of the state's population could be served since approximately one-fifth of our citizens are in school each school day.

Other than the fact that a large portion of the state's population can be served through school-based clinics, what are other reasons we feel they make good sense? You need only look at the barriers to access to health services for adolescents:

- Lack of insurance coverage or money to cover charges;

- Office hours that conflict with school schedules;

- Lack of transportation;

- Discomfort with traditional health care settings;

- Perceived or actual lack of confidentiality between adolescents and their health care providers;

- Inability or failure to comply with a provider's instructions or follow-up on referral recommendations.

On-site school-based services offer "drop-in" appointments, something which matches more closely the lifestyle and needs of impulsive, active young people. Most clinics do not charge for services so lack of insurance coverage or ability to pay is eliminated as a barrier. Lack of adequate transportation has become a chief concern in addressing the health care needs of our rural citizens. Through school-based clinics, you have already got the patient transported to the services. We have found in Arkansas, that because the clinics are staffed by persons employed by the State Health Department rather than the school itself, student attitudes toward clinic personnel are different. If the clinic were staffed by the school district, the students would look upon the staff as part of the school and someone that perhaps would not maintain the necessary confidentiality between the student and the provider. But, since the clinic staff is part of the state health department, students feel more at ease in discussing sensitive issues with clinic personnel.

Another reason such clinics seem to make good sense, is that you do not have to build a school-based clinic. The school district provides the housing for the clinic. As the number of children entering school reduces due to the reduction in the number of children in our population as a whole, many schools will have open classrooms which can be easily converted for clinic use.

Arkansas now has 21 school-based clinics. Not a single one of them was established by the state health department. Instead, they were established by the local community—the local elected school board, the faculty of the school, parents and children. The state health department plays only a supportive

role in assisting a school district who determines they want a school-based clinic in their school. We feel this approach not only establishes local ownership of the program, but also diffuses most of the controversy which arises about these clinics.

Once a community indicates through the passage of the resolution of the local school board that they want a school-based clinic, the health department works with both the school board and parents to determine what services will be offered through that clinic. Communities are given a laundry list which includes: vision, hearing and scoliosis screening, monitoring of chronic conditions, EPSDT (Early Periodic Screening, Diagnosis and Treatment under the Medicaid program), treatment of minor illnesses and injuries, referrals for serious illnesses and injuries, sports physicals, general physicals, immunizations, tuberculosis skin tests, laboratory testing, wellness promotion, reproductive health counseling, contraceptive distribution, dental screening, safety and environmental consultation, and health education.

Even though the services are determined and approved by the local school board, no services are offered a student without written parental consent. Each fall, the parents of each student enrolled in a school with a school-based clinic must provide a consent form for their child to receive services through the clinic. On that form, the parent may indicate any services offered through the clinic which they specifically do not want their child to receive.

As you can tell from the vast array of services offered, these clinics vary from school to school. However, once established, there seems to be little resistance to increasing the services provided through the clinic. For example, in one school in our state over fifty senior high school students became pregnant during the school year. In addition to providing prenatal classes which covered nutrition, fetal development, infant care, prenatal care and child birth classes, these students were provided parenting classes. Since most qualified for the WIC program, arrangements were made with the local health unit (which is the WIC provider) to provide certification and vouchers on site, at the school-based clinic. Now, the school is seriously considering developing a child care center on site at the school to provide care for these babies and to use such as a training center for day care workers. So, you can see how once a clinic opens at a school, more opportunities arise resulting in expansion of services for our kids. And, although we may not be very happy about our high teenage pregnancy rate, through services provided by school-based clinics, these teenagers are now delivering healthier, full-term babies (a real savings to the state in neonatal intensive care costs) and are returning to school to complete their education so they can someday provide for their child.

I would do you a disservice appearing here today if I failed to elaborate some on the fact that the establishment of school-based clinics is not without some controversy. Despite the safeguards which we have actually made law in Arkansas—the requirement of the resolution by the school board indicating community support, the approval by the school board of services to be provided, and the written parental consent requirement—there is a group of citizens who strongly oppose school based clinics. Mostly, we have found these groups to be misinformed about the clinics. Once they see for themselves that we do not perform abortions or provide sex videos as "how to" instruction, they become supportive of the clinics.

However, there will always be a small group, and we feel this group is getting smaller each year, who do not want the schools personally involved with their children. In fact, in our state, most of these children are home-schooled. They do not even attend the schools with the clinics. It is these citizens who object to the use of their tax dollars to provide basic health care services to the poorest of our citizens, our children, that continue to fight the concept of school based clinics. In my state, I and our state health director, Dr. Elders, have decided that kids are worth fighting for so we will continue to battle these citizens in the halls of the legislature and in our courtrooms.

I applaud you, Mr. Chairman, and members of the committee for your diligent work in addressing the needs of our adolescents through your proposal. Clearly, our children are our future. For the past few years, that future has been looking mighty bleak. Thank you for your courage to shine a little light on this problem.

TESTIMONY OF M. JOYCELYN ELDERS, M.D., DIRECTOR, ARKANSAS DEPARTMENT OF HEALTH FOR THE U.S. SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES, JULY 28, 1992

Mr. Chairman and Members of this Honorable Committee, I am Dr. Joycelyn Elders, Director of the Arkansas Department of Health and president-elect of the Association of State and Territorial Health Officers. I apologize for my absence from your committee hearing on this important legislative proposal. However, as the director of a health department for a small, poor, rural state who sees the lives of many adolescents falling into the river of ignorance, I want to thank you for the opportunity to comment on this bill.

Over a quarter of a century ago, I was a pediatric resident working in the children's ward at the University of Arkansas Medical Center. My patient that day was a young girl with a thyroid ailment. I was pleased to tell her that she could go home the following day. She looked up at me and I saw fear in here eyes. She said, "Dr. Elders, I don't want to go home." "Why not?" I asked her. She replied, "Dr. Elders, every Saturday night my brothers and my uncles and my daddy get drunk, and they use me. They use me. Me and my sister." At first, I did not believe her. I told her she had to tell her mother. And she told me, "I tell my mother. She don't do nothing about it." This was before state laws requiring doctors to report suspected abuse cases. Imagine the degree of fear and shame this young girl had to overcome to confide in a black, female doctor because she was white and this was during the 1960s in the South. Like her mother, I did nothing. I just sent her home.

The fear in that young girl's eyes has never escaped my memory. In 1987, when Governor Bill Clinton asked me to consider serving as his state health director, I jumped at the chance because I have been unable to forget that little girl. As Director of the Arkansas Department of Health, I have been working very hard to provide all children a place to go. The school-linked services proposed in this legislation will be that safe harbor for those children who otherwise would have no safe harbor.

For most of our history, American parents have delighted in seeing their children achieve more than they did themselves. Each generation has been better educated, better housed, more skilled, and more economically

secure than the previous one. But for many Americans, those days are over. For perhaps the first time since the Great Depression, American children will no longer routinely surpass their parents' standard of living. Over the past 30 years, adolescents have been the only population group in the United States who have not experienced improvement in their health status.

Today, one of five children is poor. Too many of these children belong to what I call the "5-H Club"—the hungry, the homeless, the healthless, the hugless and the hopeless.

Consider with me these generational comparisons for the Code Blue Report of the National Commission of the Role of the School and the Community in Improving Adolescent Health:

In 1965, there were roughly 4 cases of gonorrhea and syphilis for every 1,000 American adolescents. In 1985, there were 12. CDC estimates that 2.5 million adolescents each year contract a sexually transmitted disease.

In 1965, 16.7 out of every 1,000 unmarried teens age 15-19 give birth during that year. In 1985, 31.6 out of every 1,000 did.

In 1950, the rate of youths age 14-17 who were arrested during that year was 4 per 1,000. In 1985, the rate was 118 per thousand.

In the 1950s, less than 5% of youth experimented with an illicit drug before entering 10th grade. In 1987, over 30% of youth had done so.

In 1965, 9.8% of all children under 18 years lived in single-parent homes. In 1985, 21% did.

In 1960, 39% of mothers with school-aged children were working outside the home. In 1987, 70% did.

Violence and injury account for 3 of 4 adolescent deaths.

Homicides among 15-24 year olds has increased 300% since 1950; suicides have tripled among young teens and doubled among older teens over the past 20 years.

Annually, one in 10 adolescent females becomes pregnant, more than 1.1 million per year.

One in 7 high school seniors report drinking to inebriation on at least a weekly basis.

Approximately 6% of adolescents are affected by chronic medical and/or psychiatric disorders.

Contemporary threats to adolescent health, the so-called "social morbidities", are primarily the result of social environment and/or behavior.

Families, too, have changed in ways that affect their ability to meet the health-care needs of children. A majority of children lives either in single-parent households or in families where both the parents work. In many of these families, social and economic stresses are heavy, adults have less time available for supervising health care, and no one is at home during the school day. Since children usually receive health care at the initiative of their parents, these circumstances hamper regular access to care. Moreover, more and more American families find themselves with no health insurance or inadequate health insurance. Almost 15% of Americans under age 64 have no form of health insurance—the highest concentration of those uninsured is among young adults and their children. This national crisis in health insurance coverage also serves as a barrier to health care.

These barriers disappear with school-based health clinics. In the Code Blue Report, the National Commission noted that the federal government should call public attention to our adolescent health crisis, the effect of the crisis on student achievement, and the im-

portance of uniting to address adolescent health. More simply stated, you can't educate kids if they aren't healthy, and you can't keep kids healthy if they aren't educated. The Commission recommended that you, as the federal government, do the following:

Recognize the inter-relationships between education and health and the need for school-based or school-linked health centers and health promotion programs; and

Provide funding for the development of adolescent health centers, training health and social service professionals to work effectively with adolescents and to work collaboratively across disciplines, to expand public health services for adolescents, to employ Neighborhood Health Workers, and to provide federal technical and other support to state and local officials in establishing measurable health objectives, indicators, and tracking systems to assess state and local progress in improving adolescent health.

I worked with the National Commission on the Role of the School and the Community in Improving Adolescent Health which produced the Code Blue Report. Let me say, after reviewing a draft of Senator Kennedy's bill, I feel our prayers have been answered. I feel this program will provide much needed assistance to states and local communities to fill the gaps which exist in our current health care/social service delivery system for adolescents. The required formation of local community partnerships to coordinate and deliver comprehensive education, health and social services to adolescents was also a recommendation of the National Commission. The report stated that "local coordinating councils should serve as catalysts to meaningful collaborative services, among public and private agencies, as advocates for the health needs of adolescents, and as monitors of the accessibility and quality of services." One of the important lessons we have learned in Arkansas about school-based clinics is that you must have local support and ownership of the program for it to be successful.

After reviewing the draft legislation, I am delighted to offer my full support for the proposal. Either someone in Washington is actually reading and responding to recommendations of the Code Blue Report or great minds are running together. Although I would prefer to see some state input on reviewing local grant applications and would ask that you consider adding public health departments as a necessary party in the local partnership under Title I, these are just minor details coming from a state health department director. These are items which can be worked out as the bill progresses through Congress.

I understand that President Bush's FY 1993 budget includes a proposal for the Ready-to-Learn School Health Program. If funded, it would provide comprehensive primary health care and prevention services to children age 3-12 and their families. Senator Kennedy's proposal provides the important link between children's health care and care for adults. By targeting funding for adolescent programs, you will be serving the most underserved portion of the American population today.

We currently have 21 school districts on a waiting list for school-based services. They have already received the support of their local communities and fought all the fights concerning services to be provided in the clinics. They just need money to get started. I look forward to working with you and my Congressional delegation to help steer this legislation through because I really believe

time is of the essence. During the past hour, our nation has spent 33.7 million dollars on our national defense. We spent 23 million dollars on the S&L bail out. Yet, we only spent 1.3 million dollars on our children's health. The authorization required to fund this bill is a mere drop in the bucket compared to defense and S&L bail out spending. Surely the health of our children is as important as either of these.

Senator I would like to thank you and your committee for having the vision and the courage to address the issues of adolescent health, not as a religious, moral, or economic issue, but as a social morbidity issue which is destroying the most valuable resource we will ever have.

You know that our children have needs. You know that it is the social morbidities impacting health that are keeping increasing numbers of our young people from reaching their potential. You know that it will take all of us to make sure that all of our children grow up healthy, educated, motivated, and have hope. This piece of legislation will make health and educational services available, accessible, affordable, and age appropriate. It will help build bridges over rivers of ignorance so that more of our bright young people will be able to cross.

Thank you!

#### TESTIMONY OF MARIA ARANA

Mr. Chairman and Members of the Committee, I am pleased to be here today representing the National PTA in their endorsement of the Comprehensive Services for Youth Act of 1992. As a parent, I would like to share my reasons for supporting health clinics with strong parental involvement and my experience with a similar program in my community.

My name is Maria Arana. I am a single parent who emigrated to the United States twelve years ago from El Salvador. Escaping the strife of my native war-torn country, I searched for a better future for myself and my children. What I initially faced in this country was living in the inner city, filled with constant signs of crime, drugs, neglected children and poverty-stricken families. This frightened me and the possible effect of that environment on my 15 and 17 year old daughters. For example, when the 17 year old first attempted to take the public bus to school at age 14, her gold chain was ripped from her neck, as she later explained in tears after running home from the incident. At that point I became very protective of my daughters, and I was determined to succeed in ultimately getting them out of that area in hopes of providing a safer environment that is more conducive to their proper welfare.

My daughters attend Los Angeles High School, where I also work as an Office Assistant. When I first learned about a School-Based Clinic opening at Los Angeles High five years ago, I was skeptical about its effect on the students and parents. However, as the program unfolded, the energy, enthusiasm and professionalism displayed by the School-Based Clinic Program staff prompted myself and other school district staff to join them. Their efforts in providing medical services along with counseling and education made the services perfectly suited to a student's needs. The School-Based Clinic provides the safety net that students and their under-insured parents need in these harsh economic times. Because I now work at the school, I see many cases of students who need help, and I and other parents believe in the clinic and do whatever we can to help students use the services there.

When my daughters began attending high school, I permitted them to use the clinic's services without limiting their access to the comprehensive services. Subsequently, my daughters have obtained free immunizations, free physical examinations, free education and counseling about sensitive matters that I find very difficult to explain to my daughters. In addition, I have not had to miss work to drive them to see a doctor—this is an important reason why I so strongly support the school-based clinic—students like my daughters are able to obtain care where they spend most of their day.

Living in a community that has no sense of unity is quite depressing and frustrating. My daughters must stay home during the holidays because there are no accessible recreational programs where we live. No pools, no baseball fields, no safe places in which to walk. Consequently, this dire situation has led me to support the school-based clinic many times, being the only organization doing community outreach. A few months ago, the riots in Los Angeles were only the beginning of my community's demonstration of their frustration with the economic reality and decaying sense of community. I am still very frustrated. I want my daughters to live in a real community, where resources exist to help one another. The School-Based Clinic at Los Angeles High demonstrated its readiness to deal with the real issues that the school district is too busy to handle or simply cannot deal with. During the riots, Korean students were beaten up, a student was shot in the leg in front of school and teachers were nowhere to be seen during the height of the crisis. However, School-Based Clinic Staff was available to treat the injured students and counsel them. Students were able to come back to school in spite of the tension and the presence of the National Guard on campus. The School-Based Clinic educators and counselors provided critical counseling services for those traumatized teens and provided referrals in the community for emergency care for parents as well as teachers. The School-Based Clinic became a life line to obtain information, numbers and advice to help students and their families.

I could not believe when I was told that 70% of clinic patients do not have medical insurance. Although I can provide coverage for my children, many students have not seen a doctor for more than five years. I must work to care for my children and missing work is not part of the plan. Accessible, free, competent and effective services at the school where my daughters attend makes me at ease that they are effectively cared for at the place where they spend most of their time. Similar services must be expanded to other children in other school districts with parents' involvement. I am committed to the programs that the Comprehensive Services for Youth Act of 1992 seeks to implement and strengthen in all communities of the country. Thank you for your time.

**HEALTH START: ADOLESCENT HEALTH PROGRAM, ST. PAUL, MN, DONNA ZIMMERMAN, MPH, EXECUTIVE DIRECTOR**

Mr. Chairman and members of the Committee, I am pleased to come before you today representing the Health Start program in St. Paul, Minnesota. Health Start is a non-profit community-based organization providing health and social services to women, children and adolescents in St. Paul. We are proud to have opened the first comprehensive school-based health clinic in the country in 1973, and now serve 5 high school

and 2 alternative school programs, in the St. Paul area. I want to take this opportunity to provide you some background on the development of these school clinics, and the significant role they have played in helping St. Paul youth stay healthy and on track towards a hopeful future.

Over 20 years ago, staff from an inner city high school in St. Paul approached a predecessor of Health Start, the Maternal Infant Care Program, about ways to reduce the high school drop out rate among pregnant teens. A working group of 4 grew to 20 members with the inclusion of parents, school personnel, elected officials, and business leaders. In two years, a school-based clinic emerged at the school to provide prenatal infant care, family planning, nutrition and mental health services. Since that time, school-based clinics have expanded the range of services offered to provide a one-step shopping menu of comprehensive health and social services as requested by each school's neighborhood community.

Each year, nearly 3,000 students visit our school-based clinics. Coming from diverse socioeconomic backgrounds, two thirds of the students are from low-income families who are either uninsured or underinsured. Most adolescents coming to the clinic report no medical care within the past year, and no regular source of care. The clinic utilization by the school population is high, with over 50 percent of all students using the clinic during their high school years.

The school-based clinics fill a vital function in establishing an ongoing trusting relationship with students so they can bring their concerns and receive needed services, or an appropriate referral. We offer a wide range of services including general medical care, preventive health counseling and education, prenatal care, nutrition counseling, social work services, and peer counseling and mentorship programs; on an average, students make four visits a year to the clinics. The clinics are built on a multi-disciplinary staff model, with a physician, nurse practitioner, health director, social worker and nutritionist available as needed. Students usually see two or more of the disciplines during a typical visit. For example, it is a routine practice for students who receive sports physicals in the clinic to also see the nutritionist, since weight gain issues and dietary practices are important health considerations in this age group.

The comprehensive service approach has been adapted through the years to respond to the alarming adolescent health statistics. A Minnesota statewide survey of adolescents in 1989 revealed that physical abuse in the home endangers one Minnesota teenager in eight. Furthermore, one out of nine students reported they had attempted suicide. Thus, we provide extensive counseling for adolescent victims of abuse and have increased activities to promote positive self esteem for students as an extension of the clinic services.

The most critical element in the success of the Health Start program has been the support of the community, parents and school personnel. Parents provide written consent to use the clinic, serve on advisory committees and also the Health Start Board to give input into program design and services; currently a group of parents have been working for a year and a half to bring a new school-based clinic to a 6th high school in our city. School staff are also integral to the success of the program. A unique partnership exists between school and clinic staff at Harding High School, where Health Start runs a peer

mentorship program building leadership skills among high-risk youth. The program has been so successful that there is a waiting list for enrollment, and the school has qualified it as an option for academic credit. Health Start staff also provide classroom education to assist teachers and provide a means of outreach for the clinic.

Health Start's school-based clinics work collaboratively with the medical community to refer students for specialized services and follow up beyond the scope of the school clinic and to make sure that each student has access to a primary care network during the periods school is not in session. Health Start contracts with physicians from local clinics and St. Paul-Ramsey Medical Center, which provides for continuity in care and helps build linkages with the medical community. There is also a close relationship with community and county mental health providers to refer students and their families as needed, or in some cases to co-locate other community mental health agency staff in the school clinic itself.

Local community partnerships are critical to the financial stability of Health Start's school-based clinics. The City of St. Paul, Ramsey County together with state, federal and private contributors have funded various aspects of the clinic programs. The St. Paul Schools donate space for the clinics and as schools have been remodeled, incorporated clinic space in the building plans.

The school-based clinics in St. Paul have served nearly 50,000 students since their beginnings. The services are proven to be cost effective and effective at reaching those students who are the most vulnerable for health and emotional problems.

The Comprehensive Services for Youth Act is an exciting opportunity to expand community-school partnerships, promote increased access for health and social services and make a real impact on the lives of our adolescents and the health of our communities.

**TESTIMONY OF MS. LAURA SECORD, SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES, JULY 28, 1992**

Mr. Chairman and Members of the Committee, I am pleased to be here today to tell the story of Ensley High School Adolescent Health Center, where I am the Nurse Practitioner/Clinic Manager. The Center is sponsored by the Jefferson County Department of Health in Birmingham, Alabama. Approximately 1,200 students are currently enrolled.

The Ensley High School Adolescent Health Center is a comprehensive school-based program originally funded with a grant from the Robert Wood Johnson Foundation. The project was developed after eighteen months of collaboration by a strong community based advisory board made up of teachers, school officials, health care providers, clergy, parents, students, and area law makers. When the clinic opened in January of 1988, the school's population was 85% African-American and 15% white. Only one third of Ensley's students had health insurance, and one third of our students had not received any medical attention in over 2 years.

I came to the Ensley project in the fall of 1986 from a rural county health department where I saw a number of adolescent patients and was struck by their fear and discomfort when seeking care at our clinic. Though we tried to put them at ease, they were often so uncomfortable that they could not make eye contact. They often missed appointments and did not follow through with treatments. I arrived at Ensley High School with a deep feeling that something was wrong with the

way our system provides care to teens—both where and how we were going about it made our services both physically and emotionally inaccessible. I began my work with the program by establishing a presence in the school and laying the groundwork for the clinic opening. We held night meetings with parents to hear their concerns and insights into their children's needs. When the doors of the clinic opened, our staff included a pediatrician, registered nurse, social worker, nutritionist, and mental health counselor.

I saw my first patient before the final renovations were even completed. She was a seventeen year old with a severe kidney infection. She was also six months pregnant and had been starving herself in order to keep her pregnancy a secret. She was severely depressed. Her pregnancy was a result of sexual abuse by an older family friend. By the end of the first month, I had treated kids with a wide range of problems including strep throat, fractured femur, diabetes, high blood pressure, severe depression, dental disease, anemia, epilepsy, and gonorrhea.

By the end of the first school year, over 50% of Ensley's parents had given consent for their children to use the clinic. And the word was out among the kids that the clinic cares. They listen. They treat you with respect and keep your confidentiality. Word got out among the teachers too. The clinic staff cares about education, and pays attention to teachers' concern.

The staff has trust—and with trust came the revelation that the surface problems kids were facing—such as abusing drugs and alcohol, dropping out of school and getting pregnant, were not the real problems. The real problems were pain, isolation, loneliness, fear, and more than anything else a lack of caring.

We began to listen, in the classroom and in the clinic, to the stories behind young people's action, stories of physical and sexual abuse, stories of families functioning under the strain of addiction, stories of young people witnessing daily violence as friends and family members were being killed. Deep secrets and untold stories manifest as headaches, stomachaches, and chest pains, and find other expression in violence and irresponsible sex.

The Clinic staff listened and learned that we would have to provide more than just health care. We were here to provide healthy caring, a process that grown over time and comes from being part of a young person's everyday life. That is the difference that school-based health care makes—it gives us a chance to develop a daily relationship with the young people that we serve. And that relationship builds a bridge to help young people finish school and become contributing members of society.

Over the last five years we have put together a remarkable program of services at Ensley. We like to think of these as the building blocks toward a successful future. Services include general health, mental health, health education, and day care services. There are approximately 3,000 patient visits per year for general health care alone. Nutritional counseling is also an important component to help teens establish health habits to avoid hypertension, obesity, and chronic illnesses later in life.

Our mental health program is unique, with a social worker and mental health counselor available to kids and their families. One feature is a peer support program called CHOICES, which involves over 400 kids a year in groups focusing on goal setting, violence prevention, and communication skills.

We also offer health education, which has reached nearly 2000 students in five years with messages of self-esteem and responsible decision making. Our daycare provides a means for 27 young parents to stay in school each year.

We have learned that no single approach will work in isolation. A broad collaboration among teachers, students, parents and community leaders has been critical to the success of our program. Five years ago we heard echoes of community opposition; now we hear the chorus of community support and demand. The school-based clinic program has provided better access to services for young people, better strategies for teachers, and facilitated better communication between parents and teens.

In March of 1992, with the support of the Jefferson County Health Department, we opened our second school based program. The need we face is great, but funds are limited. I know the work we do makes a difference. Each year at graduation I am amazed at the number of students accepting their diplomas whose lives we have touched. I am struck by the integrity of their struggle and the jeopardy in which they live. The problems and challenges our youth face are large, but our presence has enabled many to go on and achieve a hopeful and healthy future.

I would like to close with the words of a young lady who graduated in June of 1991. Her words come from a play she wrote for the clinics Teen Theater. She came from a family that had been injured by crack abuse and yet she found a means of self expression through a clinic program. Her writing led to recognition by the Ford Foundation and a full college scholarship. Her poem echoes the feelings of young people across our land from Birmingham to East L.A., from New York City to St. Paul:

#### SILENT CRIES

No one listens.  
No one cares.  
No one's there with which to share.  
The pain and hurt.  
Our hearts cry out.  
Love and affection we are without.  
And so alone we live in our lives.  
We live the life of silent cries.

Mr. Chairman, I strongly support your legislation to provide the comprehensive services our kids need to build healthy and hopeful futures. It is an answer to the many cries of our youth. It is the healthy listening and healthy caring that we have tried so hard to provide. Thank you.

AMERICAN MEDICAL ASSOCIATION,  
Chicago, IL, July 23, 1992.

Hon. EDWARD M. KENNEDY,  
Chairman, Committee on Labor and Human Resources, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN KENNEDY: The American Medical Association is pleased to express its support for the "Comprehensive Services for Youth Act of 1992." This bill addresses the quality and availability of comprehensive education, health and social services to youth in school-based or community-based locations. Such issues relating to the health and well-being of our youth are unquestionably among the most critical problems facing our nation today.

The provision of services through school-based and community-based health centers provides an appropriate mechanism for reaching underserved youth. To be most effective, programs should entail local and state partnership which include physicians and other health professionals, educators,

parents, and other community leaders. Health promotion and disease prevention should be the cornerstone of a comprehensive health strategy. Meaningful evaluation is necessary to ensure that funds are utilized as effectively as possible.

The AMA appreciates the opportunity afforded us to work with your staff in the development of the proposed legislation. We strongly believe that the bill represents the beginning of a new era of both public and private initiatives directed at improving the health of America's youth.

Sincerely,

JAMES S. TODD, M.D.,  
Executive Vice President.

AMERICAN FEDERATION OF TEACHERS,  
Washington, DC, July 24, 1992.

Senator EDWARD M. KENNEDY,  
Chairman, Committee on Labor and Human Resources, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN KENNEDY: Earlier this year, the American Federation of Teachers announced its Proposals for Children in Crisis. The Proposals encompass education, health care, nutrition, and other services or investments which the A.F.T. deems essential if the nation is to address a growing crisis among children and youth.

Many children and youth are not making satisfactory progress in education, and this will continue to be the case if necessary educational resources and facilities, nutrition, health care, and social services are denied. Youngsters who come to school hungry, sick, or homeless, and whose poorly supplied classes meet in halls, closets, or stairwells, cannot be expected to learn. One of the ten Proposals for Children in Crisis is the establishment of health clinics at or near schools. Another is the expansion of child care, prenatal care, and preventative health care for children and youth.

Inadequate health care and poor educational performance are undeniably related. For this reason, the A.F.T. enthusiastically welcomes your introduction of the Comprehensive Youth Services Act of 1992. It addresses critical problems that affect the well being of many children and their ability to prosper in school. It should be speedily enacted and funded. To that end, the A.F.T. offers its support.

Sincerely,

GREGORY A. HUMPHREY,  
Acting Secretary-Treasurer.

CHILDREN'S DEFENSE FUND,  
Washington, DC, July 24, 1992.

Hon. EDWARD M. KENNEDY,  
Chairman, Committee on Labor and Human Resources, Dirksen Senate Office Building, Washington, DC.

DEAR CHAIRMAN KENNEDY: I am writing to thank you for introducing the Comprehensive Services for Youth Act of 1992, a bill designed to improve the quality and availability of urgently needed education, health and social services for America's at-risk youth and their families.

Being a teenager today is far riskier than it ever has been. Many teens are poor and unhealthy, unsafe in their homes, their neighborhoods and their schools. Many are at risk of drug and alcohol dependency, premature sexual activity or pregnancy long before they are ready to become parents. Many are written off as unsalvageable by schools that are too overwhelmed to respond to their needs. The consequences of youths' actions now include dangers ranging from single parenthood and prolonged poverty to AIDS and devastating violence.

Young people and their families living in impoverished and often dangerous neighborhoods often cannot find their way to the fragmented, confusing and chronically underfunded services in their communities. Those communities, which contain the highest proportions of at-risk youths, typically do not have the resources to forge partnerships between schools and local service providers to meet the needs of such youths. Cities, counties and states can provide strong and effective leadership in promoting the development of such partnerships on a larger scale if the resources are available. These initiatives can and must play a vital role in preventing the serious health, education and other problems that now threaten millions of young Americans and promoting the full development of our next generation of citizens, workers, and parents.

The Comprehensive Services for Youth Act of 1992 would address these challenges through a series of targeted grants to local partnerships between schools and local service providers. In addition, it would provide funding to community- or county-wide consortia and states seeking to promote the delivery of comprehensive education, health, and social services to at-risk youths and their families. As you know, initiatives that build linkages between schools and essential health and social services enjoy broad, bipartisan support, as reflected most recently in the recommendations of the Steelman Commission (Advisory Council on Social Security).

We are pleased that the proposed legislation would give local communities, school boards and states great flexibility in designing systems of integrated services that they believe will meet the most urgent education, health and other needs of their own young people who are at unusually high risk. In this manner, the legislation would provide a strong and essential impetus to emerging state and local efforts to meet the long-neglected needs of America's adolescents and young adults.

CDF looks forward to working closely with the Committee in the months ahead to secure enactment of this important legislation.

Sincerely,

MARIAN WRIGHT EDELMAN,  
President.

COUNCIL OF CHIEF  
STATE SCHOOL OFFICERS,  
Washington, DC, July 22, 1992.

Senator TED KENNEDY,

Chairman, Committee on Labor and Human Resources, Hart Senate Office Building, Washington, DC.

DEAR CHAIRMAN KENNEDY: Many thanks for consulting us on the development of the Comprehensive Services for Youth Act of 1992. We commend your strong advocacy of federal support for coordination of comprehensive education, health and social services to at-risk youth in their local communities, through school-based or school-linked centers.

We concur that one of the most effective means to extend essential health and human services to youth and families with greatest needs is by co-locating such services in or near schools on a year-round, extended-day basis. This year, our Council's top priority issue is collaboration among the education, health, and social service systems. We are committed to build on existing local and state service networks to achieve more effective and efficient results.

We look forward to continuing work with you and your staff to develop and advance

federal legislation which will strengthen collaborative delivery systems.

Sincerely,

GORDON M. AMBACK,  
Executive Director.

AMERICAN ACADEMY OF PEDIATRICS,  
Washington, DC, July 22, 1992.

Hon. EDWARD M. KENNEDY,

Chairman, Committee on Labor and Human Resources, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR KENNEDY: On behalf of the 43,000 pediatricians who comprise the American Academy of Pediatrics, I am pleased to offer our endorsement for the "Comprehensive Services for Youth Act of 1992."

The importance of investing in the health of the next generation has become not just an act of compassion, but an economic necessity. Ideally, every child in America should have a physician or physicians who serve as the primary source of health care, a concept we call a "medical home." The home provides a broad range of comprehensive preventive and treatment services on a continuing basis. The Academy realizes that such idealistic medical care for children is not available in many communities across the country. Where these sources of care are not available options, school-linked services can serve as an alternate source of care for children ages 6-18. Under no circumstances should school-linked services be considered a substitute for continuous comprehensive care. The Academy is particularly pleased that the Federal Council on Children, Youth, and Families has a pediatrician representative who can share our unique knowledge of child health care.

Ensuring proper health care for our children is crucial to our nation's future. The Carnegie Institute reported that 70 percent of teachers had students whose education was adversely impacted by poor health or nutrition. The Academy believes that the Comprehensive Services for Youth Act of 1992 takes an important step toward meeting the needs of our nation's school children.

The Academy looks forward to working with you and your staff as this legislation moves forward.

Sincerely,

DANIEL W. SHEA, M.D.,  
President.

THE NATIONAL PTA,  
Chicago, IL, July 20, 1992.

Hon. EDWARD M. KENNEDY,

Chairman, Senate Committee on Labor and Human Resources, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR KENNEDY: The National PTA, an organization comprising over 7 million parents, teachers and other child advocates, heartily supports the concept of the Comprehensive Youth Services Act of 1992. A major priority of the National PTA's Legislative Program is to support "legislation that assists states and localities to develop and fund comprehensive health care programs, including school-linked health clinics, and provide equitable access to quality, affordable health care for all children, youth and pregnant women, and that all federally funded school-linked health care clinics have parental representation on all advisory committees." In addition, the National PTA "supports efforts that encourage collaboration among child-serving agencies and coordination of services designed to meet the needs of children and youth."

These priorities are matched to various sections of the bill which is highly compat-

ible with National PTA stands including such provisions as:

I. Section 101(b)(2): The focus on broad based community partnership including youth and parents in the development of child-serving collaboratives. Throughout the bill, parents and students are included in the planning and we highly support that inclusion;

II. Section 101(C)(d): A priority that includes not only the student, but also outreach to the families. We would encourage the involvement of families as much as is possible, in both the planning and in service delivery;

III. Section 101(3): When determining the Contents of the Plan, families should be included to the extent possible and practicable, but not to the exclusion of services for the student;

IV. Section 101(4)(f): We support the effort toward equitable geographic distribution, especially with focus on both urban and rural with high risk youth;

V. Section 101(4)(2): Related to in-kind non-Federal share, specify parent and community non-paid volunteer involvement;

VI. Section 101(a): The US Department of Education and state departments of education need to play a more substantive role in planning for, reviewing and granting rewards. If we are aiming for partnerships at the local level, let's require that partnership at the state and federal levels as well. In addition, it's the departments of education that have direct access to the public schools;

VII. Section 102, Subtitle C, paragraph C (ii): We support all of the youth development and life planning areas. They are all consistent with National PTA Health and Welfare priorities and programs;

VIII. Section 102, Subtitle C, (4)(2): We support the Administrative cap of 5%;

IX. Section 302: We encourage a stronger formal relationship between HHS and ED in an effort to more efficiently coordinate activities, but also to require that ED take more ownership for developmental services. This would be a great time to discuss the reorganization of ED along child service and school improvement lines, rather than along program category lines;

X. Title IV, Section 401: This area seems to be focused more on older youth, ages 10-21 as defined by the Bill. Programs for "youth" should be balanced with those programs for "children", ages 5-10 as defined by the Bill. Focus on the preventative and early risk behaviors should be identified and served. We would hope that elementary and middle schools would be encouraged by this Bill to plan for comprehensive school-linked health services as well as the high schools.

Once again, the National PTA commends Senator Kennedy and other members of the Senate Labor and Human Resources Committee for their commitment to this legislation.

Sincerely,

ARLENE ZIELKE,  
Vice President for Legislative Activity.

NATIONAL COMMISSION ON ACQUIRED  
IMMUNE DEFICIENCY SYNDROME,  
Washington, DC, July 27, 1992.

Hon. EDWARD M. KENNEDY,

Chairman, Committee on Labor and Human Resources, U.S. Senate, Washington, DC

DEAR MR. CHAIRMAN: On behalf of all the members of the National Commission on Acquired Immune Deficiency Syndrome (AIDS), we want to express support for the principles and objectives of the Comprehensive Services for Youth Act of 1992.

As you know, the National Commission on AIDS has closely examined issues relating to the HIV epidemic among adolescents. Clearly, HIV disease is a serious threat to our nation's young people. The number of teenagers with AIDS almost doubles each year and an estimated 75,000 teenagers are now infected with HIV. Over 20 percent of all reported AIDS cases are among individuals in their teens and twenties, most of whom were infected during adolescence. The majority of these cases are among in orities. What makes these numbers particularly tragic is that there is so much we can do to stem the tide of HIV infection through aggressive prevention efforts and so much more we must do to provide health and support services necessary to cope with this terrible illness.

To intervene effectively in the spread of HIV, it is essential to consider the broader social context of the HIV epidemic, for it involves not only individuals at risk, but also families, cultural and social groups, neighborhoods, and communities at risk of multiple problems, such as poverty, alcohol and drug use, violence, unemployment, and lack of access to health care. Often unable to meet even their basic needs, many youth deny or discount the risk of getting caught in the path of the AIDS virus. A new and committed partnership between these young people and their communities can lead to greater hope, greater dreams, and greater success.

During a recent site visit by the Commission to the G.W. Carver School Based Health Clinic in New Orleans, Louisiana, we were able to witness first-hand the unique effectiveness of a school-based comprehensive health and social services center designed to serve adolescents. An excellent corps of doctors, nurses, and counselors provide health and support services to over one thousand youths, helping them to deal with an array of challenges, including AIDS, drug use, teen pregnancy, suicide, and violence.

The Comprehensive Services for Youth Act of 1992 will provide the essential resources necessary for neighborhoods, cities, and states to offer and sustain the services needed to ensure that every young person in America has the ability, the self-esteem, and the opportunity to contribute fully to our society. The Act will foster coordination and collaboration among educators, health care providers, and community based organizations through the development and operation of city-wide and state-wide youth service center systems. We are extremely pleased that a bipartisan commitment has been made to enact this bill and look forward to the passage and funding of comprehensive youth services legislation by the Congress.

Sincerely,

David E. Rogers,  
M.D.,

*5Vice Chairman.*

JUNE E. OSBORN, M.D.,  
Chairman.

AMERICAN NURSES ASSOCIATION,  
Washington, DC, July 23, 1992.

Senator EDWARD M. KENNEDY,  
Chairman, Senate Labor and Human Resources  
Committee, Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR KENNEDY: The American Nurses Association (ANA) is pleased to endorse your proposed legislation, "The Comprehensive Services for Youth Act of 1992". We look forward to its introduction next week. Please feel free to quote us or list us as an endorser in any way you choose.

The context for our analysis of the proposed legislation is Nursing's Agenda for

Health Care Reform. We are pleased that the bill, throughout, utilizes the term "health care provider" rather than "physician". As you know, we firmly believe that consumers need to have unrestricted access to alternative health care providers, such as advanced practice nurses. We believe that the services provided by nurses are necessary in order to address the very complex and diverse needs of children and adolescents, as well as the needs of their families.

ANA shares the bill's commitment to coordinate and make more comprehensive the current patchwork quilt of social services, education and health services for youth. We fully agree with the bill's emphasis on basing health (and social) services within the community, where most of the public's health needs are. We believe that community-based services will more suitably address health promotion and disease prevention, as well as provide better access for disease diagnosis and treatment.

ANA agrees with the bill's express intent of targeting those communities most at risk of poor social and health outcomes—communities with high rates of poverty, teen pregnancy, drug use, violence, school drop outs and juvenile justice involvement. We fully agree with the bill's focus on the school as the location for much integration of services to take place. The idea of school-based health services has been fully fleshed out in a 1992 publication of the American Nurses Association, *Expanding School Health Services to Serve Families in the 21st Century*. Within this new publication, we have proposed a provider role shift that empowers consumers by increasing ownership of their own health care and the exchange of information with professionals. Also within the publication is a plan to prepare consumers to become their own case managers.

ANA is pleased that the bill proposes significant funding for special projects of national significance. We believe that these resources will be used to provide start up funds for innovative projects designed by nurses who want to establish new models for school and community-based health care.

The ANA is deeply committed to improving the health, social service and educational systems of care available to youth, and we look forward to working with you and your staff to get the bill enacted.

Sincerely,

VIRGINIA TROTTER BETTS, J.D., R.N.,  
President.

AMERICAN SCHOOL HEALTH ASSOCIATION,  
Kent, OH, July 16, 1992.

Senator EDWARD M. KENNEDY,  
Chairman, Committee on Labor and Human Resources,  
Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR KENNEDY: I am writing on behalf of the 3,700 teachers, health educators, nurses, and physicians who are members of the American School Health Association (ASHA) to offer support and endorsement of the Comprehensive Youth Services Act of 1992. The mission of the American School Health Association is to protect and improve the health of school-age children and youth by supporting the implementation of comprehensive health programs in our nation's schools.

The U.S. Congress must support ASHA's members as they work on a day to day basis with our children and youth. We must make it a goal that all children do indeed enter school on a daily basis healthy and ready to learn. Schools must provide quality health education programs, physical education pro-

grams, food service programs, health service programs, and healthy, positive environments. The Comprehensive Youth Services Act of 1992 takes us one step closer to this goal.

Please feel free to call upon us should you need additional information or technical assistance. Our members stand ready to assist you and your colleagues in your efforts to address the health and educational needs of our school age population.

Sincerely,

DANA A. DAVIS,  
Executive Director.

THE SOCIETY FOR  
ADOLESCENT MEDICINE,  
Bronx, NY, July 22, 1992.

Senator EDWARD M. KENNEDY,  
Chairman, Committee on Labor and Human Resources,  
U.S. Senate, Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR KENNEDY: The Society for Adolescent Medicine expresses its support for the Comprehensive Services for Youth Act of 1992 that you will introduce into Congress. This legislation is an important first step in providing comprehensive, confidential health care for a vulnerable and often overlooked segment of our population. We believe that this bill will encourage the development of local, city, county, and state service coalitions for adolescent health.

In the most recent report on adolescent health presented to the United States Congress by the Office on Technology Assessment, it was estimated that one in five adolescents suffers at least one serious chronic disease or disability, such as asthma, heart disease, hearing loss, or vision impairment. As already observed in the adult population life style issues impact on the health of adolescents resulting in major public health problems such as unintentional injury, homicide, pregnancy, sexually transmitted diseases, and substance abuse. AIDS has become the sixth leading cause of death for U.S. adolescents and young adults between the ages of 15 and 24; and there is evidence, through serologic studies of HIV, that it will remain in this position in the future.

The Society for Adolescent Medicine supports a more comprehensive national health insurance reform to fully extend access to all adolescents. The goals of adolescent health care are to provide complete and thorough physical and psychosocial evaluation and treatment in an atmosphere of trust and confidentiality. Adolescents see office-based physicians less often than any other age group and are more likely to seek care in a range of alternative settings operated by a wide array of health professionals. Inadequate payment for services limits the private practitioners' availability of professional time and is an important barrier to comprehensive care for adolescents. Alternative care options for adolescents in the public sector and through university teaching centers, school-based clinics, and non-profit programs have provided innovative approaches for this hard-to-reach population. The proposed legislation has the potential to enhance community-based public programs and the networking of public and private programs for adolescents.

There are seven criteria that the Society for Adolescent Medicine recommends to assure access to health care for adolescents:

1. Availability: Age-appropriate services and trained health-care providers must be present in all communities.
2. Visibility: Health services for adolescents must be recognizable, convenient, and

should not require extensive or complex planning by adolescents or their parents.

3. Quality: A basic level of service must be provided to all youth, and adolescents should be satisfied with the care they receive.

4. Confidentiality: Adolescents should be encouraged to involve their families in health decisions, but confidentiality must be assured.

5. Affordability: Public and private insurance programs must provide adolescents with both preventive and other services designed to promote health behaviors and decrease morbidity and mortality.

6. Flexibility: Services, providers, and delivery sites must consider the cultural, ethnic, and social diversity among adolescents.

7. Coordination: Service providers must ensure that comprehensive services are available to adolescents.

In addition, we believe communities have a responsibility to ensure that the following health and other services are available to their youth, either on-site in comprehensive programs, or through closely coordinated referral networks:

Preventive health services;  
AIDS education and general health education and nutrition education;

X-Rays, laboratory, and pharmacy services;

Mental health counseling, drug and alcohol abuse prevention and treatment services, and social work services;

STD treatment, pregnancy testing, family planning, contraceptive supplies, and HIV testing; and

Transportation services.  
It has been our distinct pleasure to work with you and in drafting this legislation. We certainly hope that our input was beneficial to the concepts put forth as a first effort in securing appropriate health care services for a critical segment of our population: future families, leaders, and workers of our nation. We look forward to working more closely with you as the legislation progresses.

Sincerely,

KAREN K. HEIN, M.D.,  
President.

AMERICAN ASSOCIATION  
OF SCHOOL ADMINISTRATORS,  
Arlington, VA, July 22, 1992.

Hon. EDWARD M. KENNEDY,  
Russell Senate Office Building,  
Washington, DC.

DEAR SENATOR KENNEDY: The American Association of School Administrators, AASA, would like to express our strong support for your proposed legislation, the "Comprehensive Services for Youth Act of 1992". Collaborating on services for young people at school sites or linked to schools holds the promise of dramatically improving services for disadvantaged children by improving access to services and cutting red tape between agencies. Comprehensive services for young people are the highest priorities in the 1992 AASA legislative agenda.

The current recession has forced disastrous competition between social services, health, and education to the detriment of children. Your proposal for comprehensive services will not only be more effective but will be more cost effective, thereby reducing competition between equally important services while actually extending services to more young people.

The Comprehensive Services for Youth Act of 1992 is a terrific beginning to an important dialogue between the fragmented, jumble of agencies serving young people. The tangle of federal, state and local laws, regulations and

professional practices must be streamlined and made sensible from the student's perspective. AASA will be proud to help in every way possible as you strive to accomplish that end.

Sincerely,

BRUCE HUNTER,  
Senior Associate Executive Director.

THE CENTER FOR POPULATION OPTIONS,  
Washington, DC, July 23, 1992.  
Senator EDWARD M. KENNEDY,  
Chairman, Senate Committee on Labor and  
Human Resources, Washington, DC.

DEAR SENATOR KENNEDY: The Center for Population Options is a non-profit educational organization dedicated to improving the quality of life for adolescents by preventing unintended teenage pregnancy and too early childbearing. We enthusiastically endorse the Comprehensive Services for Youth Act of 1992 and its intent to improve adolescents' access to quality health care and social services.

Many adolescents cannot perceive the risks and future consequences of their own actions, and their behavior often involves multiple risks to their health and educational success. Seventy-seven percent of female and 86 percent of male adolescents have engaged in sexual intercourse by age 20, and only about one third of them use condoms more often than other contraceptives. The risk taking behavior of adolescents has resulted in over 1,000,000 pregnancies per year, 140 cases of AIDS in adolescent women, and accidents as the number one cause of death among this age group. Many behaviors, such as smoking and other drug abuse, initiated during the adolescent period can also enhance the effects of chronic diseases later in the life course.

An effective response to the problems of adolescent risk-taking behavior requires comprehensive health services, including education, as well as collaboration among public and private agencies, non-profit organizations, educators, parents and children themselves. The adolescent population has unique health care needs, and school related health centers have demonstrated that both the physical and emotional health of adolescents can be enhanced when addressed in the school setting.

With so many youth lacking health insurance and access to primary care, many of them receive care only in emergency rooms and public clinics, usually too late for preventive action. The public school represents an ideal location for the delivery of services which are otherwise inaccessible or unavailable to school-aged youth. Barriers to access for children include cost, transportation, embarrassment, scheduling and staff attitudes.

Clinical services and personnel located on or near school campuses and targeting youth can more effectively encourage young people to seek primary care and prevent unnecessary morbidity.

Locating services on or near the school site represents an extremely promising strategy for delivering primary and preventive health care to an underserved and at risk adolescent population. The model is already working in over three hundred school-based clinics (SBCs) currently serving school-aged youth across the nation. Attached is a partial listing of organizations that support SBCs.

Most SBCs provide a wide range of medical and non-medical services, including general primary care, physical examinations, routine laboratory tests, immunizations, education and counselling, and referrals. Nearly

40 percent of all clinic users are completely uninsured, and therefore have limited access to other sources of primary health care. Three quarters of SBCs are sponsored by community health clinics, public health departments, hospitals or medical schools.

The Support Center for School-Based Clinics, a project of the Center for Population Options, is a national resource for current and emerging school-based and school-linked clinic programs. In addition to resource, program and policy development, the Support Center routinely collects a variety of information from school related health centers nationwide and disseminates it to professionals developing local programs. Our experience demonstrates clearly that comprehensive school-based programs make a difference in the lives of adolescents.

The Center for Population Options fully endorses public support for school based health services as a mechanism for improving the quality of life for America's youth. We congratulate you on the introduction of legislation that will make it possible for many more adolescents to have access to comprehensive health and other services.

Sincerely,

MARGARET P. CLARK,  
Ph.D.,  
Executive Director.  
PAMELA HAUGHTON-  
DENNISTON,  
Director, Public Affairs.

NATIONAL COLLABORATION FOR YOUTH,  
Washington, DC, July 24, 1992.

Hon. EDWARD M. KENNEDY,  
Chairman, Committee on Labor and Human Resources, Washington, DC.

DEAR MR. CHAIRMAN: The National Collaboration for Youth (NCY) enthusiastically endorses the concepts embodied in the Comprehensive Services for Youth Act of 1992.

NCY is composed of fifteen of our nation's largest youth-serving agencies and is an affinity group of the National Assembly of National Voluntary Health and Social Welfare Organizations. NCY groups serve more than 30 million young people each year in a wide range of successful youth development programs.

We are all too well aware of the many young people in this country who are vulnerable, who are victims, who need special attention. The Comprehensive Services for youth Act provides attention in an accessible, coordinated manner which can effectively assure that local attention is paid to the nationwide needs of at-risk children. We especially commend your emphasis on youth development services and the required inclusion of community-based youth serving organizations in local community partnerships.

The National Collaboration for Youth supports the Comprehensive Services for Youth Act of 1992 and looks forward to working with you to achieve its passage.

Sincerely,

GORDON A. RALEY,  
Executive Director.

NATIONAL MINORITY AIDS COUNCIL,  
Washington, DC, July 27, 1992.

Hon. EDWARD M. KENNEDY,  
Chairman, Committee on Labor and Human Resources, Washington, DC.

DEAR SENATOR KENNEDY: On behalf of the staff, board of directors, and member organizations of the National Minority AIDS Council, I write in support of the objectives expressed in the Comprehensive Youth Services Act of 1992.

The role of the National Minority AIDS Council (NMAC) is to develop leadership within communities of color to address issues of HIV infection. The comprehensive nature of this bill upholds the goal as it provides supportive measures to assist communities in helping teens combat those health and social ills that plague them at an alarming rate; HIV infection being among them.

HIV disease does not, however, exist in a vacuum. Many at risk for infection are also participating in behavior that places them at risk for traditionally identified sexually transmitted diseases, unintended pregnancy, substance abuse, drug related violence, and suicide; many of which are at epidemic proportions within communities of color. All of these issues play an enormous role in the high drop out rates of high school students, making implementation of programs that support community efforts to reverse these trends critical. We at the National Minority AIDS Council support passage of the Comprehensive Youth Services Act and look forward to working with you to secure implementation of this bill.

Respectfully,

PAUL AKIO KAWATA,  
Executive Director.

NATIONAL MENTAL  
HEALTH ASSOCIATION,  
Alexandria, VA, July 22, 1992.

Hon. EDWARD KENNEDY,  
Chairman, Senate Labor and Human Resources  
Committee, Washington, DC.

DEAR MR. CHAIRMAN: We, the undersigned national membership organizations of the National Prevention Coalition, strongly support the Comprehensive Services for Youth bill. We commend you on your leadership in the area of prevention.

By providing focused assistance and attention to vulnerable groups, the services outlined in this bill seek to provide the "edge" needed to maintain mental health and avoid mental health problems. For youth, this means preventing entry into special education, juvenile justice, or foster care.

This bill comes at a time when children need it the most. We ask for timely consideration of this initiative in committee, and look forward to full Senate action this session.

Sincerely,  
National Mental Health Association,  
American Academy of Child and Adolescent Psychiatry, American Counseling Association, American Association for Marriage and Family Therapy, American Orthopsychiatric Association, American Psychiatric Association, American Psychological Association, American Psychological Society, Child Welfare League of America, National Association of Prevention Professionals and Advocates, National Association of School Psychologists, National Association of State Mental Health Program Directors, National Parent Teachers Association.

AMERICAN COLLEGE OF  
PREVENTIVE MEDICINE,  
Washington, DC, July 23, 1992.

Senator EDWARD M. KENNEDY,  
Chairman, Committee on Labor and Human Resources,  
Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR KENNEDY: The American College of Preventive Medicine (ACPM) is pleased to endorse the Comprehensive Youth Services Act of 1992. This proposal provides for the direction of resources to address

many health problems of adolescents that currently take a heavy toll. It recognizes that a multidisciplinary approach to these problems is essential, and that local health and public health professionals have much to contribute to the planning and design of programs for at-risk adolescents.

The Comprehensive Youth Services Act provides for services to address the two major categories of preventable health problems of adolescents: injuries and violence that kill or disable many before they reach adulthood; and emerging lifestyles, such as use of alcohol and drugs, that affect their health as adults. ACPM recommends that comprehensive adolescent health services also explicitly address tobacco use, which is not now mentioned in the bill. The bill also provides for programs and services to prevent problems associated with sexual activity, HIV and other sexually transmitted diseases and unintended pregnancy. The Act is consistent with the *Health People 2000* objectives, and recognizes that comprehensive programs are needed to provide positive alternatives to youth, particularly those in high-risk environments.

ACPM is the national medical specialty society of physicians whose primary interest and expertise are in disease prevention and health promotion. Specialists in preventive medicine are uniquely trained in both clinical medicine and public health. ACPM members work in public health and community agencies, in primary care settings, in industry and in academia. The ACPM membership is a major national resource, providing expertise and leadership essential to protecting and improving the nation's health.

ACPM appreciates your continuing leadership in prevention and public health, and is pleased to support this important legislation.

Sincerely,  
SUZANNE DANDROY, MD., MPH,  
President.

AMERICAN COLLEGE OF PHYSICIANS,  
Philadelphia, PA, July 27, 1992.  
Senator EDWARD KENNEDY,

Chairman, Senate Labor and Human Resources  
Committee, Senate Dirksen, Washington,  
DC.

DEAR SENATOR KENNEDY: The American College of Physicians (ACP), the largest medical specialty society, representing over 77,000 physicians practicing internal medicine and its subspecialties, is pleased to endorse the Comprehensive Services for Youth Act of 1992.

The ACP is a strong advocate for adolescent health care. The College has provided continuing medical education programs on adolescent health at its Annual Sessions and has published a position paper, titled "Health Care Needs of the Adolescent," in the 1989, *Annals of Internal Medicine*. The paper highlights the underserved medical needs of adolescents. All adolescents, including those who may not find their way into the physician's office because of poverty, lack of health insurance or other reasons, need comprehensive, quality health care. Schools and community based health services can play an important role in ensuring, with primary care physicians, that adolescents receive appropriate health care services.

Our position paper also states that adolescent medicine should become a greater component of medical education and primary care residency training programs. This should include such topics as general comprehensive medical care, counseling, health

promotion, substance abuse, eating disorders, sexuality, contraception, sexually transmitted diseases, pregnancy, learning disorders and medical-legal issues related to the health care of minors.

The ACP agrees with the goal of this Act that health promotion and disease prevention should be a major focus of adolescent health care, since life-style choices and health habits present in adolescence can shape behaviors and health status in adulthood. The internist can play a particularly important role in the health care-related decisions made by adolescents by providing counseling and other interventions regarding the wide range of health issues faced by adolescents.

Preventive health care requires education and counseling focused on several major areas of substantial risk. The College supports provisions in this bill which would have local needs assessments determine programs and services to prevent HIV, alcohol and drug use, unintended pregnancy, suicide and school termination. Screening for high risk factors is not difficult and the benefits from early detection and prevention measures may be significant in later life.

School-related clinics, initially established in or near schools to deal with teen pregnancy and related problems, have gradually evolved and now provide a wide range of other health services. These school-based clinics and programs, with the participation of physicians, local community partnerships, community based organizations, and other health care professionals, can help meet some of the health care needs of adolescents by providing health services and education.

The ACP believes that integration of preventive health measures and counseling into medical care can uncover immediate health risk, as well as help the adolescent begin to develop positive long lasting health habits.

The ACP commends you on your effort to address adolescent health care and we are committed to working with your staff and interested organizations to identify issues and to provide leadership in practice, education and research in adolescent health care.

Sincerely,  
H. DENMAN SCOTT, MD, MPH, FACP,

Health and Public Policy.

THE AMERICAN DIETETIC ASSOCIATION,  
July 23, 1992.

Senator EDWARD M. KENNEDY,  
Chairman, Committee on Labor and Human Resources,  
Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR KENNEDY: As a member of the American Medical Association (AMA) National Adolescent Health Coalition, The American Dietetic Association (ADA) supports the Comprehensive Youth Services Act of 1992, provided nutrition services were included, as described in this letter. ADA appreciates the work the Committee has done to bring forth the bill.

The ADA, the nation's largest group of nutrition professionals, believes nutrition services should be included in the bill. Good nutritional status ensures that a child has a greater chance of remaining healthy and, therefore, reaching his or her physical and intellectual potential. The cost of health care for the nation is now 12% of the gross national product. Provision of appropriate nutrition services, including screening and assessment, nutrition counseling and nutrition support by registered dietitians and other qualified health care providers can change these statistics.

On page 4 of the discussion draft, under (B) Health Promotion and Life Planning, we recommend the addition of a fourth section: (iv) provide preventive health services which include nutrition services. On page 5 of the draft bill, under (C) Comprehensive Health, Mental Health and Social Services, under (i) health screening, we recommend to include nutrition screening as a component of health screening.

ADA thanks you and the Committee for the opportunity to provide comment on this bill.

Sincerely,

JUDITH L. DODD, MS, RD.,  
President.

NATIONAL ASSOCIATION OF  
COMMUNITY HEALTH CENTERS, INC.,  
Washington, DC, July 27, 1992.

Senator EDWARD KENNEDY,  
Chairman, Senate Labor and Human Resources  
Committee, Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR KENNEDY: Our Association is pleased to support the Comprehensive Services for Youth Act of 1992 which would target funds to communities whose youth are endangered by unemployment, poverty, HIV/AIDS, malnutrition, violence, unwanted pregnancies, mental health problems, and substance abuse.

We are particularly supportive of Title I of the Act which would establish school-based and school-linked health and social services needed to improve youth school performance and overall health and well-being. In fact, we would recommend that an even greater percentage of the funding in the bill be allocated to Title I than proposed because of its emphasis on direct services.

We are proud of those community and migrant health centers currently involved in providing school-based and school-linked services in elementary and secondary schools with resources which they have been able to locate from a variety of sources. We note that some centers also provide special services to pregnant adolescents, including home visiting services. In fact, in a recent survey of centers, teen pregnancy ranked as the most pressing health issue faced by community centers serve.

But we regret that while some centers have been able to launch preventive and primary health service programs specifically targeted to high risk children and adolescents, most centers simply have not been able to locate the additional resources needed to initiate such special efforts.

Youth utilization of school-based health services administered by centers in general has been very good and the majority of the programs have been well accepted by youth and community as well. We regret that Dr. Aaron Shirley, Executive Director of the Jackson Hinds Health Center in Jackson, Mississippi will be unable to testify before the committee on the very positive experience his community health center has had providing school-based health care for over ten years in Jackson high schools.

We do have several concerns about some of the language in the Act as currently drafted. We encourage the broadest possible applicant eligibility for Titles I and II of the Act. In general, we do not believe that it is the best idea to funnel funds for the types of activities included in this Act exclusively through state or local government or elaborate consortia because of the length of time these vehicles often require to launch actual services and the tendency to "system build" rather than provide care.

We certainly wholeheartedly endorse the concept of applicants working closely with other local and state partners, but we believe that applicant eligibility should be open to any nonprofit public or private provider with prior successful experience serving school-age populations that can demonstrate adequate coordinative arrangements and community support.

We believe that the attention provided in this Act to distressed youth in our low income communities is long overdue. Our Association looks forward to working with health centers in our local communities to provide linked health and education services for high risk youth.

Sincerely,

TOM VAN COVERDEN,  
Executive Director.

AIDS ACTION,  
Washington, DC, July 24, 1992.

Hon. EDWARD KENNEDY,  
Committee on Labor and Human Resources,  
Hart Senate Office Building, Washington,  
DC.

DEAR SENATOR KENNEDY: AIDS Action Council would like to commend you on your leadership in introducing the "Comprehensive Services for Youth Act of 1992." AAC represents over 800 community-based organizations who understand the need for this legislation.

As you well know, adolescents are finding it more and more difficult to achieve the traditional goals set for them such as high school graduation and good health. Poverty, high crime rates, drug and alcohol use, and sexually transmitted disease are only some of the influences that are all too dominant in their lives. Prevention messages about HIV infection and the hazards of drug use clearly do not reach them. And they are not receiving appropriate social and health services. Too often at-risk teens fall into the health care and social services gap where they cannot access federally sponsored care.

Some communities, however, have attempted to fill this gap. In model, schoolbased clinics teens can access a comprehensive array of services from job counseling/training to health screening. Effective education and prevention messages are delivered with the adolescents' culture and generation in mind. Considerable evidence shows that these clinics improve the overall health of the students they serve.

This legislation will facilitate the implementation of this model across the country in both rural and urban areas. Most importantly, this bill will allow state and local entities to address the multidimensional needs of students in and out of school.

Sincerely,

DANIEL T. BROSS,  
Executive Director.

Mr. KOHL. Mr. President, I want to commend our colleague from Massachusetts for his outstanding leadership in developing the Comprehensive Services for Youth Act of 1992. And I am pleased to be a cosponsor of this legislation.

Our programs all too often treat the problems of the young in a piecemeal and fragmented manner. But the problems of our children do not exist in isolation. To design separate, categorical programs for poverty, drug use, gang membership, school failure, STD prevention, teen pregnancy, and suicide is to ignore the fact that these challenges

to our young people are essentially interconnected. Today's pregnant teen may be tomorrow's dropout, and today's drug user may be tomorrow's gang member. One of the greatest strengths of the Comprehensive Services for Youth Act of 1992 is its emphasis on fostering community-based coordination. By breaking down the walls between schools, community outreach programs, and health care providers, and by allowing those groups to develop an integrated treatment strategy, the bill provides a coherent approach to children's problems. It treats troubled children not as amalgams of their troubles, but as whole human beings.

In addition, it emphasizes the need to prevent crises among our young before they happen. If a parent saw his or her child walking into a busy intersection, that parent wouldn't wait for the accident to happen, and then come running with a Band-aid. And yet, government tends to wait and to react after the injury is acute—and expensive to heal. By targeting communities where children are most likely to face problems, the Comprehensive Services for Youth Act helps teach at-risk children the skills they will need to avoid the dangers of the street.

I appreciate the willingness of the chairman to continue working toward a family-oriented model for serving the young children. By encouraging community partnerships to reach out to families, I think we can offer the strongest support to the child—a safe and secure environment in which to grow.

This is being well demonstrated by the Families and Schools Together [FAST] Program, developed in Wisconsin and now operating in several States. FAST builds those partnerships between schools, nonprofit mental health services, education and assessment agencies for substance abuse, and families. Under Wisconsin statute, at-risk children are identified by the schools, and in some areas, referred to FAST programs. The FAST Program serves as more than a safety net, it serves as a holistic healer—of the child, the family and the community around that family. It recognizes the best of what our social research has to offer: First, that stress and isolation combined are deadly invitations to abuse and neglect. Second, it recognizes that especially the younger children cannot be treated and healed successfully in isolation of their family. FAST links the community to the family and the family to the child. The child becomes the center of the service universe, but is not pulled out of that center into the outer fringes of the child advocacy and social service delivery systems. The parent is constant. The school is constant. Extended family and community are constant—working partners in reducing risk by strengthening the par-

ent-child relationship through comprehensive and integrated service delivery.

I believe this legislation holds great promise for breaking down the barriers to intervening in the lives of at-risk youth and children. It does so by fostering change in the communities, and using our Federal dollars creatively to reward comprehensive, integrated service delivery. It offers significant change and significant hope. I look forward to working with my colleagues to enact those changes and make that hope reality.

By Mrs. KASSEBAUM:

S. 3089. A bill to provide relief for public agencies from liability under the Fair Labor Standards Act of 1938 for failure to pay exempt employees on a salary basis, and for other purposes; to the Committee on Labor and Human Resources.

EXEMPTION FROM REQUIREMENTS OF FAIR LABOR STANDARDS ACT

Mrs. KASSEBAUM. Mr. President, I rise today to call attention to a matter of grave concern to State and local governments. Presently, hundreds of State and local governments are at risk of paying huge monetary damages for overtime wages—all to high-level employees that no one ever dreamed were covered by our Federal wage-and-hour laws.

Critical problems now loom for State and local governments as a result of the Ninth Circuit Appeals Court ruling in *Abshire versus County of Kern*. That decision opened up the floodgate for potential windfall recoveries against State and local governments by large numbers of their otherwise exempt white collar employees.

Department of Labor regulations provide generally that employees who are paid on a salary basis, with earnings over a specified amount, are exempt from the overtime requirements of the Fair Labor Standards Act. To be exempt under the salary basis test, an employee's weekly salary cannot be reduced for time away from work of less than 1 day.

However, few public employers compensate their salaried employees in a way that meets the requirements to qualify for the exemption. As public bodies, they must account for all taxpayers' dollars spent. Hence, most government payroll systems commonly prohibit paying employees for time not spent on-the-job. Instead, professional employees in the public sector may have their pay docked for all absences of less than a day which are not covered by paid leave.

Under *Abshire*, such accounting procedures are enough to eliminate the exemption for salaried government employees. This means that all upper-management personnel, the top-level brass, are now entitled to recover up to one and one-half times their regular

rate of pay for all overtime hours worked in the past 2 years. This is true even though these employees never actually suffered any deductions from their pay.

This single court case has placed State and local governments in a very difficult position. If they provide the accountability to which the public is entitled, they expose themselves to risk of liability for millions of dollars at a time when they can least afford to do so.

Certainly, State and local tax dollars would be more wisely spent on employing more teachers or policemen, for example, rather than increasing the income of high-level public officials who never expected this windfall. Indeed, we are not talking about taking away overtime pay from rank-and-file hourly employees, but restricting overtime pay for administrative, executive, and professional public employees.

Like a number of other States, Kansas is currently involved in litigation seeking to assert *Abshire* claims. The payment of such unforeseen liabilities, not including the years of expensive litigation contesting these claims, seriously threatens the fiscal integrity of State and local treasuries. In this time of extreme budgetary pressure, State and local governments simply cannot afford this waste of their precious public resources.

My distinguished colleague from California, Senator SEYMOUR, introduced a bill last August (S. 1670) designed to reduce the exposure of cities and States to costly lawsuits in the wake of the *Abshire* ruling. I support this legislation and commend the Senator from California for his leadership in calling attention to this serious problem.

In response to these growing cries for help, the Department of Labor issued regulations in September to modify its overtime rules in order to allow States and local jurisdictions to continue public accountability pay systems without incurring overtime liability to upper-level managers. The rules also provide a mechanism to deal with the issue of past liability for inadvertent reductions in employees' pay.

I was initially encouraged by this response and urged the Department to finalize the regulations as quickly as possible. However, the Department has yet to issue a final ruling, and it appears that any ruling now issued will not provide for retroactive relief. It is somewhat ironic that the *Washington Post* reported yesterday on the Department's so-called lobbying strategy to resolve the retroactive overtime problem, notwithstanding the fact that the Department has yet to finalize the regulations.

Since September, other pay reduction practices have been found to remove employees from the scope of the overtime exemption, including the

keeping of daily time sheets, the imposition of disciplinary action for unexcused absences, and the requirement that employees notify their supervisors when leaving the office. In the wake of these new rulings, it is clear that simply finalizing the *Abshire* regulations at this time will not solve the problem.

Therefore, I am introducing legislation today which provides that public employers will not be held liable for failing to pay otherwise exempt executive, administrative, or professional employees on a salary basis. The bill also prohibits any Federal or State court from enforcing liability on any existing claims for failure to pay overtime wages to otherwise exempt employees.

This legislation is modeled closely after the 1947 *Portal-to-Portal Act*. The *Portal-to-Portal Act* mandated the dismissal of numerous claims for failure to pay employees minimum or overtime wages pending in Federal court at the time of its enactment. The power of Congress to extinguish those claims on a retroactive basis has been uniformly upheld by the Courts.

Legislation introduced recently in the House would address the concerns of both public and private sector employers in this area. I recognize that similar problems have arisen in the private sector which may need to be addressed legislatively. However, I would urge my colleagues to act immediately on this bill because of the significant difficulties such liabilities now present for State and local governments.

Mr. President, I ask unanimous consent to have a copy of the bill printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3089

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY.

(a) FINDINGS.—Congress finds that—

(1) since the enactment of the Fair Labor Standards Act of 1938, Congress and the Supreme Court have each periodically acknowledged the special circumstances of, and the different treatment to be accorded to, governmental employers and employees under such Act, as distinguished from employers and employees in the private sector;

(2) the Federal regulations governing exemptions from the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938 for employees who are considered to be executive, administrative or professional generally require that such employees meet regulatory standards with respect to both their duties and their compensation;

(3) such regulations were adopted prior to the extension of coverage under the Fair Labor Standards Act of 1938 to public employees and, therefore, make no distinction between public and private employment;

(4) few public employers compensate employees in a manner that meets the salary

basis test for minimum wage and maximum hour exemptions under existing regulations;

(5) the application of such salary basis test to governmental employees has resulted in the denial of the minimum wage and maximum hour exemption to thousands of such employees who have traditionally been considered exempt by their employers;

(6) the denial of minimum wage and maximum hour exemptions has exposed several State and local employers to wholly unexpected liabilities, immense in amount and retroactive in operation;

(7) such exposure of governmental employers to potentially enormous and generally unexpected back wage liabilities could continue to seriously threaten the fiscal integrity of these State and local governments and could disrupt widespread pay practices which were designed and intended to serve the public interest; and

(8) the real and potential retroactive liability that may be imposed upon public agencies has given and will continue to give rise to great difficulties in the sound and orderly conduct of government by public entities.

(b) **DECLARATION OF POLICY.**—With respect to the application of the Fair Labor Standards Act of 1938 to public employers and employees, it is declared to be the policy of the Congress, in order to meet the existing emergency and to correct existing evils, to—

(1) relieve and protect the viability of public agencies from practices which burden and obstruct the employment relationship;

(2) preserve the integrity of governmental civil service or other personnel systems as defined by regulations, policies, practices, statutes, administrative or constitutional provisions applicable to public employees; and

(3) define and limit the jurisdiction of the courts.

**SEC. 2. RELIEF FOR PUBLIC AGENCIES FROM LIABILITY UNDER THE FAIR LABOR STANDARDS ACT OF 1938 FOR FAILURE TO PAY EXEMPT EMPLOYEE ON A SALARY BASIS.**

Notwithstanding any other provision of law, a public agency (as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x))) shall not be subject to any liability or punishment under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) because of the failure of the public agency to pay otherwise exempt executive, administrative or professional employees on a salary basis before, on, or after the date of enactment of this Act.

**SEC. 3. RELIEF FOR PUBLIC AGENCIES FROM CERTAIN EXISTING CLAIMS UNDER THE FAIR LABOR STANDARD ACT.**

(a) **IN GENERAL.**—A public agency (as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x))) may not be subject to any liability or punishment under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) because of the failure of the public agency to pay any otherwise exempt employee on a salary basis prior to the date of enactment of this Act.

(b) **JURISDICTION OF COURTS.**—No court of the United States, of any State, Territory or possession of the United States, or of the District of Columbia, shall have jurisdiction over any action or proceeding, whether instituted prior to, on, or after the date of enactment of this Act, to enforce liability or impose punishment for or on account of the failure of a public agency to pay otherwise exempt employees on a salary basis to the extent that such action or proceeding seeks to enforce any liability or impose any punishment with respect to an activity which was not compensable under subsection (a).

By Mr. GORTON (for himself, Mr. Craig, Mr. Nunn, Mr. BROWN, Mr. MCCAIN, Mr. DECONCINI, Mr. NICKLES, Mr. REID, Mr. McCONNELL, Mr. WARNER, Mr. BOND, Mr. GRASSLEY, and Mr. SHELBURY):

S. 3091. A bill to amend the Public Health Service Act to establish a program to fund maternity home expenses and improve programs for their collection and disclosure of adoption information, and for other purposes.

**OMNIBUS ADOPTION ASSISTANCE AND MATERNAL HEALTH CERTIFICATES ACT**

Mr. GORTON. Mr. President, today, with the bipartisan support of my distinguished colleagues, Senators CRAIG and NUNN, I am introducing the Omnibus Adoption Assistance and Maternal Health Certificates Act. This legislation is a melding of two earlier bills; the Adoption Assistance and Maternal Health Certificates Act, S. 1215; and the Omnibus Adoption Act, S. 1301. It also reflects bringing together of major adoption and family groups, such as the Family Research Council, the National Council for Adoption, and the Adoptive Families of America.

This bill will create a support network for those involved in the adoption process, decreasing the obstacles and increasing the attractiveness and viability of that alternative.

American society has taken a positive step forward in lessening the lifelong stigma that the now anachronistic term, illegitimacy, attached to the lives of mother and baby. Societal ostracism of the mother and child, even as the father escaped any significant rebuff, was unfair, unjust, and destructive.

But in lessening the unfair burden of the old stigma, sometimes a woman's option for adoption has been ignored—and that is regrettable and can be changed.

In the past, a woman or teenage girl facing an unwanted pregnancy has three difficult choices: an illegal, and too often dangerous and expensive abortion; the decision to keep and rear the child herself; or the placement of the baby for adoption.

But today that third option, adoption, has been diminished in stature as a viable, responsible choice for a single mother. The number of unrelated adoptions has decreased from 89,200 in 1970 to 51,000 in 1986, even as the number of births by unmarried teenage girls has exploded. Now, 25 percent of America's children are born into single parent homes.

Mr. President, for many women the effective number of choices available to an unmarried mother has been reduced from 3 to 2: to keep the baby or to terminate the pregnancy. Only 6 percent of all pregnant teens now choose adoption. Forty percent of pregnancy counselors do not even mention adoption as an option. But then neither

of the two choices remaining for women with unwanted pregnancies—abortion and retention of the baby by the mother—may always be the best choices.

Sometimes adoption is the best alternative, with many benefits to compensate for the pain of making the choice to relinquish one's child. The mother who chooses adoption is statistically more likely to complete high school, less likely to live in poverty, and less likely to receive public assistance than if she were a single parent. Finally, the mother who makes an adoption plan for her child is more likely to delay marriage, more likely to be employed within a year after the birth, and more likely to have a significantly higher income than her counterpart who has chosen to keep her child.

Mr. President, the choice to relinquish one's baby for adoption is most frequently wrenchingly painful. But for many women that unselfish choice is the right decision. Women willing to pay that price ought not to be met with artificial barriers that prevent them from doing so. The legislation offered by Senator CRAIG, Senator NUNN and this Senator would lower those barriers for the birth mother.

The benefits of adoption do not stop with the mother. Those waiting for an opportunity to become adoptive parents also benefit. Today, between 1 and 2 million Americans want to adopt a child. Not only is there a decreasing number of children available for adoption, but the process is unnecessarily expensive, time-consuming, and cumbersome. I have listened to friends, hoping to adopt a child, describe how their lives are put on hold, often for years, how their hopes are repeatedly raised only to be repeatedly dashed, how their financial security suffers as they begin or add to their family through adoption. This bill will help clear the path for these Americans who want to experience a profound aspect of humanity, sharing their lives and love with a child.

Society benefits from adoption. Ninety percent of adopted children live with two parents—statistically the most financially and emotionally secure of family configurations. Fifty-four percent live in homes in which the family income is three times higher than the poverty level. In fact, the 1982 National Survey of Family Growth found that only 2 percent of adopted children, but 62 percent of children retained by their birth mothers, lived in poverty. So while adopted children have a reduced chance of living in poverty they also have an increased likelihood of attaining a higher level of education.

The advantages to these children will directly and positively affect every social problem of our culture, from racism to global competitiveness to our overburdened and inefficient social service agencies. Productive, economi-

cally secure citizens contribute to their country's well-being.

Adoption, while not problem-free, can often be the best choice for all those involved. Our legislation will help give a woman's third choice back to her.

Specifically, the bill creates a new grant program that provides maternal health certificates to low-income pregnant women who enter maternity homes or use the outpatient services of those homes. The birth mother will be provided a respite from the pressures of the outside world while she decides what is best for herself and for the child.

Maternity homes provide other crucial services often unavailable to low-income women, including: medical care for the women and their babies, health education, nutrition, and nutrition counseling, family counseling, education services, job-training, and other counseling services. Regardless of the decision a young woman finally makes, these services will improve her lot in life—and that of her child, if she decides to keep and raise that child.

The Omnibus Adoption Assistance and Maternal Health Certificates Act will also promote adoption by addressing other shortcomings of the process that currently impede its implementation.

To better understand the process, to monitor the provisions of this act, and to recommend additional changes in the law, this bill establishes the National Advisory Council on Adoption, with membership representing a wide range of private and public organizations. The 13-member council will be selected by the Secretary of HHS and the majority and minority leaders of the House and Senate.

As I have spoken this evening, I have cited statistics from many studies, none of them as current nor as comprehensive as I would choose. Unbelievably, in 1975 the Federal Government discontinued data collection about adoption. It would be far easier for me to inform my colleagues how many potato chips are eaten yearly by each child in America—4.4 pounds—than to tell them how many of those children are adopted! This bill calls for the reinstatement of data collection on adoption in the United States. When we better understand the problems and advantages presented by adoption, we will be better able to improve the process.

Further, knowledge of the adoption process will be enhanced by the establishment of two new education programs. The first is a program for graduate study fellowships for innovative programs concerning the effects of adoption of the individuals involved. The second is an Adoption Education Grant Program, which provides moneys to States for the development of curriculum on adoption to be included in

school family life programs. Both of these programs would add to our understanding of adoption, and would help to eliminate the negative myths surrounding it.

This legislation also addresses in several ways obstacles facing adoptive parents. It provides for their equal treatment in insurance policies and parental leave benefits. The National Federation of Independent Businesses and the National Association of Wholesalers have indicated that they do not oppose these provisions.

This bill also calls upon agencies to provide all available information on a child to a prospective foster or adoptive parent. And the speed of the process is enhanced by raising the reimbursement rate for agencies which place a child with special needs within 3 months of his or her becoming legally free for adoption—a benefit not just for the waiting parents, but for the child and the agency providing the service.

Finally, the Omnibus Adoption Assistance and Maternal Health Certificates Act states a sense of the Congress that every State should implement and enforce certain laws relating to adoption which help remove the bureaucratic barriers now facing birth mothers and prospective adoptive parents.

Relinquishing a child for adoption is a courageous decision, and often the best decision for all involved. As a society, I believe we will come to that conclusion again. We in this body can ease the way for the young women who will make that difficult choice and the parents who wish to adopt. They deserve our support, and the Omnibus Adoption Assistance and Maternal Health Certificates Act will provide it.

Mr. President, I ask unanimous consent that a summary of the bill and the text of the bill itself be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### SUMMARY OF THE OMNIBUS ADOPTION ASSISTANCE AND MATERNAL HEALTH CERTIFICATES ACT

##### SECTION 2. FINDINGS

25% of children are born into single-parent homes.

In 1970 there were 89,000 adoptions per year; in 1990 there were only 51,000.

Currently, only 6% of teenage mothers choose adoption.

Young, unmarried women who made an adoption plan for their babies are more likely to complete high school, less likely to live in poverty, and less likely to receive public assistance than single parents.

60% of welfare recipients are, or were at one time, teenage mothers.

Adopted children have been found to have the same levels of confidence, or greater levels of confidence than, children who are not adopted.

Maternity homes provide young mothers a safe haven away from peer pressure and time to consider thoughtfully the best plan for themselves and their babies.

Young mothers in maternity homes receive counseling, schooling, and job counseling, and prenatal care.

#### SECTION 3. NATIONAL ADVISORY COUNCIL ON ADOPTION

Establishes the National Advisory Council on Adoption. Requires the Secretary of HHS and the Majority and Minority leaders of the House and Senate to appoint a 13 member advisory council drawn from private child welfare organizations, national and international adoption associations, state and local government agencies supervising adoption, and state and local courts with jurisdiction over family. The purpose of the Council is to monitor the implementation of the provisions of this Act and to recommend additional changes in law to promote the objectives of this Act.

#### SECTION 4. ADOPTION DATA COLLECTION SYSTEM

Existing HHS regulations on adoption data collection apply only to those supervised by public agencies. This act would require HHS to collect data from all adoption entities (public or private) that receive any federal assistance. HHS would also collect any data that private agencies (not already required to participate) were willing to provide.

HHS is required to develop regulations to protect the confidentiality of individuals included in the adoption data gathered by the agency.

#### SECTION 5. MATERNAL HEALTH CERTIFICATES

The Secretary of HHS is directed to establish through the states programs to provide maternal health certificates to eligible pregnant women. To qualify for assistance, the women's income must be at or below 175% of the state poverty level. The income of the parents, guardians, or the father of the child shall not be taken into account in the determination of eligibility.

Eligible facilities must be able to house at least four women. The facilities must provide a range of pregnancy services, including: prenatal, delivery, and post-delivery care; education on caring for the baby; nutrition counseling; adoption counseling; and, vocational counseling.

Facilities providing in-patient services would be reimbursed at \$80 per day. Out-patient services would be reimbursed \$50 per day. Services may be provided for the full duration of the pregnancy plus one month of the post-partum services. The bill provides an authorization level of \$30 million a year for three years.

#### SECTION 6. SOCIAL WORK GRADUATE STUDY FELLOWSHIPS ON ADOPTION

Directs the Secretary of Education to establish up to 50 fellowships for the study of innovative adoption programs. Topics for study would include: basic research on the short-term and long-term affects of adoption on children, biological parents and adoptive families; development of model curriculum to assist adoptive children and their families and counseling for pregnant women on the availability and benefits of making adoption plans.

Authorizes such funds as may be necessary to carry out this section.

#### SECTION 7. GRANTS TO STATE FOR ADOPTION EDUCATION PROGRAMS

Provides up to \$10 million in grants for FY 93-95 to the states for the development of public school curriculum on adoption to be included in school family life programs.

#### SECTION 8. EQUAL INSURANCE COVERAGE FOR ADOPTED CHILDREN

Adoptive parents have claimed that insurance companies have refused to write or honor insurance coverage for their adopted children. This section would amend ERISA laws to prohibit discrimination by insurance

companies in the writing or executing of insurance policies solely on the basis of whether a child is adopted. The National Federation of Independent Businesses and the National Association of Wholesalers indicated last year that they did not oppose this provision.

Defines son or daughter as a biological child, adopted child, step child, legal ward, or a child placed for adoption.

#### SECTION 9. EQUAL EMPLOYEE BENEFITS FOR ADOPTIVE PARENTS

Requires businesses to offer the same level insurance, and pension benefits to adoptive parents as they do for other employees. The National Federation of Independent Businesses and the National Association of Wholesalers have indicated that they did not oppose this provision.

#### SECTION 10. EXPEDITED PLACEMENT OF CHILDREN WITH SPECIAL NEEDS

Provides enhanced reimbursement to states for expenses incurred in placing a child with "special needs" in adoptive homes if the child is placed within three months of becoming available for adoption.

Considering that 25% of all children in foster care have been there for over 3 years, and 40% have been there for over 2 years, this expedited placement will save money.

#### SECTION 11. SENSE OF CONGRESS REGARDING CHANGES IN STATE ADOPTION LAWS

Last year, the Gorton-Nunn bill included an "Adoptive Parents Right-to-Know" section mandating the release to potential adoptive parents of information pertaining to the child's physical, mental and emotional background.

Because of concerns that last year's provision would have pre-empted state laws governing health insurance, this year's bill has dropped the Gorton-Nunn provision and added a "sense-of-the-Congress" resolution calling on the states to make certain that all necessary information is made available to adoptive parents. In addition, the resolution recommends that states require adequate legal counsel be provided to biological mothers.

Finally, the resolution calls on states to require health insurers to drop pre-existing condition restrictions on adoptive children. In some cases, health insurance benefits of adoptive parents will only cover health problems that occur after the child has been officially placed. This "gap" in coverage is potentially serious in the event of post-natal complications.

S. 3091

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Omnibus Adoption Assistance and Maternal Health Certificates Act".

#### SEC. 2. FINDINGS.

The Congress finds that—

(1) in the United States today, 25 percent of children are born into single parent homes;

(2) the number of children in single female-headed homes has increased 85 percent, rising from 7,500,000 in 1970 to 13,900,000 in 1988;

(3) the rise in single-parenthood is one of the root causes of family disintegration in the Nation today;

(4) adoption addresses the problem of family disintegration at the beginning by getting children into solid, two-parent homes and giving birthmothers the opportunity to

mature before taking on the adult responsibilities of child-rearing;

(5)(A) in 1970 there were 89,000 adoptions;

(B) in 1990 there were 51,000 adoptions; and

(C) currently, only 6 percent of all teenage mothers choose adoption;

(6) young, unmarried women who made an adoption plan for babies are more likely to complete high school, less likely to live in poverty, and less likely to receive public assistance than single parents;

(7) 60 percent of welfare recipients are, or were at one time, teenage mothers;

(8) several studies show that, when compared to teenage mothers, teenagers who choose adoption are less likely to have repeat unwed pregnancies;

(9) 90 percent of adopted children live with two married parents and 54 percent of the children live in homes with family income three times higher than poverty level;

(10) adopted children have been found to have the same levels of confidence as, or greater levels of confidence than, children who are not adopted;

(11) maternity homes provide young mothers a safe haven away from peer pressure and time to consider thoughtfully the best plan for themselves and their babies;

(12) young mothers in maternity homes receive counseling, a structured environment, and a variety of other services such as schooling, job counseling, and prenatal care;

(13) when comprehensive services, including adoption services, are offered, the percentage of mothers who choose adoption for their children is significantly higher than the general adoption placement rate;

(14) St. Anne's Maternity Home in California reports that 22 percent of its residents choose adoption, compared to a general rate of 5 percent of California mothers who choose adoption;

(15) there are approximately 450,000 children in foster care in the United States, of whom less than 10 percent are available for adoption;

(16) 40 percent of the children in foster care have been in the system 2 or more years, while 25 percent have been in foster care at least 3 years; and

(17) 60 percent of children in foster care are classified as "children with special needs", which means the children have physical or emotional difficulties, belong to sibling or minority groups, or are older children.

#### SEC. 3. NATIONAL ADVISORY COUNCIL ON ADOPTION.

(a) ESTABLISHMENT.—There is hereby established the National Advisory Council on Adoption (in this section referred to as the "Council").

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall be composed of 13 members appointed by the Secretary of Health and Human Services.

(2) REPRESENTATIVES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall appoint the members of the Council, and shall include in such appointment as Council members representatives of—

(A) private, nonprofit organizations involved in child welfare and maternity services, including national organizations representing organizations that provide adoption services or maternity housing and services facilities;

(B) private, nonprofit organizations representing adopted children, adoptive families or biological parents;

(C) organizations or agencies involved with privately arranged or international adoptions;

(D) organizations representing State and local government agencies with responsibility for coordinating or regulating adoption services or maternity and housing services facilities; and

(E) organizations representing State and local courts or judicial entities with jurisdiction over issues of family law.

(3) RECOMMENDATIONS.—Of the 13 members of the Council, the Secretary shall appoint—

(A) 3 members from among persons nominated by the Speaker of the House of Representatives;

(B) 2 members from among persons nominated by the Minority Leader of the House of Representatives;

(C) 3 members from among persons nominated by the Majority Leader of the Senate; and

(D) 2 members from among persons nominated by the Minority Leader of the Senate.

(c) DUTIES.—The Council shall—

(1) monitor on behalf of Congress the implementation of the programs established and activities required under this Act and make such recommendations as it determines appropriate to help carry out the intent of Congress in establishing such programs and requiring such activities;

(2) consult with the heads of departments and agencies charged with the responsibility of carrying out such programs and activities; and

(3) make such recommendations as it determines appropriate, including recommendations regarding additional legislation, to carry out the purposes of this Act.

(d) CHAIRPERSON.—The Secretary of Health and Human Services shall select a Chairperson from among the members of the Council.

(e) TERM OF OFFICE.—Members shall be appointed for 3-year terms.

(f) VACANCIES.—Any vacancy occurring in the membership of the Council shall be filled in the same manner as the original appointment for the position being vacated. The vacancy shall not affect the power of the remaining members to execute the duties of the Council.

(g) MEETINGS.—The Council shall hold such meetings as may be appropriate, but shall meet at least once every 90 days.

(h) QUORUM.—A majority of the Council shall constitute a quorum for the transaction of business.

(i) COMPENSATION AND EXPENSES.—Members of the Council shall not be compensated for the performance of duties for the Council. Each member of the Council may, at the option of the member, receive travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(j) POWERS.—The Council is authorized to hold such hearings and sit and act at such times, and take such testimony, as the Council may determine to be necessary to carry out the duties of the Council.

(k) OATHS.—Any member of the Council may administer oaths or affirmations to witnesses appearing before the Council.

(l) INFORMATION.—

(1) SECURING INFORMATION.—The Council may secure directly from any Federal agency, and from any State agency, or private organization, that receives Federal assistance under this Act, such information as the Council may require to carry out its duties.

(2) DISCLOSURE.—The Council shall comply with the procedures described in section

4(c)(3) regarding the disclosure of the information described in paragraph (1).

(m) GIFTS AND DONATIONS.—The Council may accept, use, and dispose of gifts or donations of property in order to carry out the duties of the Council.

(n) USE OF MAIL.—The Council may use the United States mails in the same manner and under the same conditions as Federal agencies.

(o) DETAIL OF FEDERAL EMPLOYEES.—On the request of the Chairperson of the Council, the Secretary of Health and Human Services shall detail, without reimbursement, any of the personnel of the Department of Health and Human Services to the Council to assist the Council in carrying out its duties. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(p) TECHNICAL ASSISTANCE.—On the request of the Chairperson of the Council, the Secretary of Health and Human Services shall provide such technical assistance to the Council as the Council determines to be necessary to carry out its duties.

(q) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 1993 through 1995.

(r) TERMINATION.—The Council shall terminate at the expiration of the 3-year period that begins on the date of the enactment of this Act.

#### SEC. 4. IMPLEMENTATION OF ADOPTION DATA COLLECTION SYSTEM.

(a) REPORT ON STATUS OF FINAL REGULATIONS.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report containing information on the status of the implementation of the data collection system required pursuant to section 479(b)(2) of the Social Security Act (42 U.S.C. 679(b)(2)).

(2) SPECIFIC ASSURANCES REQUIRED.—The report described in paragraph (1) shall include specific assurances that the data collection system will comply with the regulations described in subsection (c).

(b) MONTHLY PROGRESS REPORTS.—Every 30 days after the report described in subsection (a) is required to be submitted, the Secretary of Health and Human Services shall prepare and submit to the appropriate committees of Congress a report containing information on the progress made in implementing the data collection system.

(c) REGULATIONS.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall issue such regulations as the Secretary determines to be necessary to carry out this section, including appropriate requirements and incentives to ensure that the data collection system functions reliably throughout the United States.

(2) SUBJECTS.—The regulations issued under paragraph (1) shall require that the data collection system—

(A) shall avoid unnecessary diversions of resources from agencies responsible for adoption and foster care;

(B) shall use uniform definitions and methodologies to ensure that any data collected is reliable and consistent over time and among jurisdictions;

(C) shall include in the data collection system—

(i) data concerning adoptions arranged through State and private agencies that receive Federal assistance; and

(ii) to the extent such data are voluntarily released by State and private agencies that

receive no Federal assistance, data concerning adoptions arranged through the agencies; and

(D) shall, using data described in subparagraph (C), and in accordance with paragraph (3), provide comprehensive national information with respect to—

(i) the demographic characteristics of all adopted and foster children and their biological and adoptive or foster parents;

(ii) the status of the foster care population, including the number of children in foster care, the length and type of placement, availability for adoption, and goals for ending or continuing foster care;

(iii) the number and demographic characteristics of all children placed in or removed from foster care, children adopted, and children with respect to whom adoptions have been terminated; and

(iv) the extent and nature of assistance provided by Federal, State, and local adoption and foster care programs and the characteristics of the children with respect to whom such assistance is provided.

(3) DISCLOSURE AND CONFIDENTIALITY.—The regulations issued under paragraph (1) shall provide for the establishment of procedures—

(A) for the disclosure by the Secretary of aggregate information collected under this section relating to adoption and foster care in the United States; and

(B) for the maintenance of confidentiality by the Secretary, the agencies described in paragraph (2)(C)(i), and the agencies described in paragraph (2)(C)(ii) to the extent such agencies collect information under this section, of information collected under this section with respect to the identity of an individual.

(4) CONSULTATION.—In developing the regulations issued under paragraph (1), the Secretary shall consult with the National Advisory Council on Adoption established under section 3(a).

#### SEC. 5. MATERNAL HEALTH CERTIFICATES.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following new part:

##### "PART M—MATERNAL HEALTH AND ADOPTION

##### "SEC. 399F. MATERNAL HEALTH CERTIFICATES PROGRAM.

"(a) GRANTS.—The Secretary shall award grants to States to enable the States to establish programs to provide maternal health certificates to eligible women within such States.

"(b) STATE ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a State shall prepare and submit to the Secretary, an application at such time, in such form, and containing such information as the Secretary shall require, including—

"(1) an assurance that the State shall establish a maternal health certificates program in accordance with this section;

"(2) an assurance that the State shall establish procedures to comply with the requirements of subsection (f)(3); and

"(3) the name of an agency designated by the State to administer the maternal health certificates program.

"(c) ELIGIBLE WOMEN.—To be eligible to receive a maternal health certificate under a program established under this section, a woman shall—

"(1) be a pregnant female;

"(2) have an annual income (within the meaning of section 1612(a) of the Social Security Act (42 U.S.C. 1382a(a)) but not including the income of, or support received by the woman from, parents, guardians, or the father of the child) that does not exceed 175 percent of the State poverty level;

"(3) be a current resident of a maternity home, on a waiting list for such a home, or receiving outpatient services from such a home;

"(4) prepare and submit, to the State agency designated under subsection (b)(3), an application at such time, in such form, and containing such information as such agency shall require, including—

"(A) the name and address of the maternity home in which the woman resides or intends to reside, or from which the woman intends to receive services; and

"(B) the rates charged by the maternity home and the estimated length of time the woman expects to stay or receive services from the home; and

"(5) comply with any other requirements determined appropriate by the Secretary.

"(d) MATERNITY HOME ELIGIBILITY.—To be eligible to receive a maternal health certificate as payment for services provided to an eligible woman under a program established under this section, a maternity home shall—

"(1) be a residence for pregnant women or provide outpatient services for pregnant women;

"(2) have the capacity to serve at least four pregnant women concurrently;

"(3) be licensed or approved by the State; and

"(4) provide, either directly or by referral, to eligible women and, where appropriate, to their babies a range of services that are in accordance with the standards promulgated by the Secretary under subsection (g), including standards regarding—

"(A) room and board;

"(B) medical care for the women and their babies, including prenatal, delivery, and post-delivery care;

"(C) instruction and education concerning future health care for both the women and babies;

"(D) nutrition and nutrition counseling;

"(E) counseling and education concerning all aspects of pregnancy, childbirth, and motherhood;

"(F) general family counseling;

"(G) child and family development education;

"(H) adoption counseling, which shall include referral to a licensed nonprofit adoption agency, if the home is not such an agency;

"(I) counseling and services concerning education, vocation, or employment; and

"(J) reasonable transportation services.

"(e) USE OF CERTIFICATES.—A woman who receives a certificate awarded under a program established under this section shall use such certificate to pay the costs associated with the residence of or services provided to the woman in a maternity home. Such costs shall be reasonably related to the range of services described in subsection (d)(4).

"(f) LIMITATIONS ON CERTIFICATES.—

"(1) TIME.—Certificates awarded under a program established under this section shall cover expenses incurred during a period that shall end not later than 1 month after the birth of the baby to the eligible woman.

"(2) AMOUNT.—The amount of a certificate awarded under a program established under this section shall not exceed, during the period in which the certificate is valid—

"(A) in the case of a resident, \$80 per day; and

"(B) in the case of a woman receiving outpatient services, \$50 per day.

"(3) MATCHING REQUIREMENT.—Procedures established under subsection (b)(2) shall require that—

"(A) the State agency designated under subsection (b)(3);

"(B) the maternity home receiving a certificate under a program established under this section; or

"(C) both the State agency and the maternity home receiving the certificate; provide an amount that is at least equal to the amount of the certificate awarded to an eligible woman for the payment of the costs associated with providing residence or services to the woman in a maternity home.

"(g) REGULATIONS.—Not later than 90 days after the date of the enactment of this part, the Secretary shall promulgate regulations to establish the standards described in subsection (c)(4). In promulgating the regulations, the Secretary shall consider such standards as the Council on Accreditation for Services to Children and Families may determine to be appropriate.

"(h) PARTICIPATION IN AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM.—Notwithstanding any other provision of this section, no woman shall be required to participate in the program established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) to be eligible for a maternal health certificate under this section.

"(i) PROHIBITION ON SUPPLANTING OF SERVICES.—No maternal health certificate issued under this section shall be used to supplant existing State, county, or local government funds that are used to provide services similar to those described in subsection (d)(4) for low-income pregnant females.

"(j) EVALUATION.—

"(1) IN GENERAL.—The Secretary shall provide, through grants or contracts, for the continuing evaluation of programs established under this section, to determine—

"(A) the effectiveness of such programs in achieving the goals stated in paragraph (3) in general, and in relation to cost;

"(B) the impact of such programs on related programs, including programs under titles IV, V, and XIX of the Social Security Act (42 U.S.C. 601 et seq., 701 et seq., and 1396 et seq.) and titles X and XX of this Act; and

"(C) the structure and mechanisms for the delivery of services for such programs.

"(2) COMPARISONS.—The Secretary shall include in evaluations under paragraph (1), where appropriate, comparisons of participants in such programs with individuals who have not participated in such programs.

"(3) GOALS.—For purposes of paragraph (1)(A), the goals of this section shall be to—

"(A) increase the availability of services to low-income pregnant eligible women;

"(B) improve the physical and psychological health of such a woman;

"(C) ensure a safe and healthy pregnancy, delivery, and postpartum period for the woman;

"(D) promote the delivery of a healthy baby to the woman;

"(E) increase the knowledge of the woman regarding proper health and nutrition for the woman and her baby;

"(F) increase the ability of the woman to support herself financially;

"(G) help the woman make an informed decision whether to parent her baby or to make an adoption plan for her baby;

"(H) increase the ability of the woman to support her baby financially and emotionally, if the woman so chooses; and

"(I) assist the woman in placing her baby for adoption, if the woman so chooses.

"(k) CONSULTATION WITH ADVISORY COUNCIL.—The Secretary of Health and Human Services shall issue such regulations as the Secretary determines to be necessary to carry out the program established under subsection (a). In developing the regulations,

the Secretary shall consult with the National Advisory Council on Adoption established under section 3(a) of the Omnibus Adoption Assistance and Maternal Health Certificates Act.

"(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, \$30,000,000 for each of the fiscal years 1993 through 1995."

#### SEC. 6. SOCIAL WORK GRADUATE STUDY FELLOWSHIPS.

(a) PROGRAM ESTABLISHMENT.—Title IX of the Higher Education Act of 1965 (20 U.S.C. 1134 et seq.) is amended—

- (1) by redesignating part G as part H;
- (2) by redesignating section 971 as section 981; and
- (3) by inserting after part F the following new part:

#### "PART G—GRADUATE SOCIAL WORK FELLOWSHIPS

##### "SEC. 971. AWARD OF FELLOWSHIPS.

"(a) IN GENERAL.—

"(1) FELLOWSHIPS AUTHORIZED.—From the amount appropriated pursuant to the authority of section 981(g), the Secretary shall award not more than 50 fellowships in accordance with the provisions of this part for study in graduate schools of social work that offer innovative programs described in subsection (b) to students selected on the basis of demonstrated achievement and exceptional promise.

"(2) DURATION.—The fellowships described in paragraph (1) shall be awarded for only one academic year of study and shall be renewable for two additional years.

"(b) INNOVATIVE PROGRAMS DEFINED.—The innovative programs described in subsection (a) are innovative programs concerning the effects of adoption on the children who are adopted, the families who adopt children and the biological parents who make an adoption plan, including—

"(1) a basic research program on the short-term and long-term effects of adoption on adopted children, biological parents and adoptive families;

"(2) development of a model curriculum and instructional program to assist adopted children, biological parents and adoptive families;

"(3) development of an innovative program to counsel pregnant women on the availability and benefits of choosing to make an adoption plan; or

"(4) any other program determined to be consistent with the provisions of this part.

"(c) FELLOWSHIP RECIPIENT SELECTION PROCEDURES.—The Secretary, by regulation, shall establish such selection procedures for fellowship recipients as are appropriate to carry out this part.

##### "SEC. 972. STIPENDS.

"(a) AWARD BY SECRETARY.—The Secretary shall pay to individuals awarded fellowships under this part such stipends (including such allowances for subsistence and other expenses for such individuals and their dependents) as the Secretary may determine to be appropriate, adjusting such stipends as necessary so as not to exceed the fellow's demonstrated level of need according to measurements of need approved by the Secretary. The stipend levels established by the Secretary shall reflect the purpose of the fellowship program assisted under this part to encourage highly talented students to undertake graduate study and shall provide a level of support comparable to that provided by federally funded graduate fellowships in the science and engineering fields.

"(b) INSTITUTIONAL PAYMENTS.—

"(1) IN GENERAL.—The Secretary (in addition to the stipends paid to individuals under subsection (a)) shall pay to the institution of higher education, for each individual awarded a fellowship for pursuing a course of study at such institution, \$6,000, except that such amount charged to a fellowship recipient and collected from such recipient for tuition and other expenses required by the institution as part of the recipient's instructional program shall be deducted from the payment of the institution under this subsection.

"(2) REDUCTION LIMITATION.—Subject to the availability of appropriations, amounts payable to an institution of higher education by the Secretary pursuant to this subsection shall not be reduced for any purpose other than the purpose specified under paragraph (1).

##### "SEC. 973. FELLOWSHIP CONDITIONS.

"(a) REQUIREMENTS FOR RECEIPT.—An individual awarded a fellowship under this part shall continue to receive payments described in section 972(a) only during such periods as the Secretary finds that such individual is maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded, in an institution of higher education, and is not engaging in gainful employment other than part-time employment by such institution in teaching, research, or similar activities, approved by the Secretary.

"(b) REPORTS FROM RECIPIENTS.—The Secretary is authorized to require reports containing such information in such form and at such times as the Secretary determines necessary from any individual awarded a fellowship under this part. The reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, stating that such individual is making satisfactory progress in, and is devoting essentially full time to, the program for which the fellowship was awarded."

(b) CONSULTATION WITH ADVISORY COUNCIL.—In developing regulations needed to carry out part G of title IX of the Higher Education Act of 1965 (as added by subsection (a)), the Secretary of Education shall consult with the National Advisory Council on Adoption established under section 3(a).

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 981 of the Higher Education Act of 1965 (as redesignated by subsection (a)(2)) is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

"(g) PART G.—There are authorized to be appropriated to carry out part G of this title such sums as may be necessary for each of the fiscal years 1993, 1994, and 1995."

##### SEC. 7. GRANTS FOR ADOPTION EDUCATION PROGRAMS.

(a) PROGRAM AUTHORIZED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Education (hereafter in this section referred to as the "Secretary") shall make grants to States to enable such States to carry out adoption education programs.

(b) GRANT AMOUNTS.—The Secretary shall determine the amount of the grant any State is eligible to receive under this section based on the estimated size and cost of the program to be assisted under the grant and the number of children to be served by the program.

(c) APPLICATION.—Any State that desires to receive a grant under this section shall submit to the Secretary an application at

such time, in such manner, and containing or accompanied by such information and assurances as the Secretary may reasonably require.

(d) **GUIDELINES.**—The Secretary shall by regulation publish guidelines for model adoption education programs to be assisted under this section.

(e) **CONSULTATION WITH ADVISORY COUNCIL.**—In developing regulations needed to carry out this section, the Secretary shall consult with the National Advisory Council on Adoption established under section 3(a).

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$10,000,000 for each of the fiscal years 1993, 1994, and 1995 to carry out this section.

**SEC. 8. EQUAL INSURANCE COVERAGE FOR ADOPTED CHILDREN.**

Section 510 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1140) is amended—

(1) by inserting "(a)" after "510.";

(2) by striking the last sentence; and

(3) by adding at the end the following new subsections:

"(b)(1) As used in this subsection, the term 'son or daughter' means a biological or adopted child, a stepchild, a legal ward, or a child placed for adoption.

"(2) Notwithstanding any other provision of law, it shall be unlawful for any person to discharge, fine, suspend, expel, discipline, or discriminate against a participant or beneficiary for the purpose of interfering with the attainment of any right, including a right with respect to coverage, benefits, or cost sharing, to which such participant may become entitled under an employee benefit plan, this title, or the Welfare and Pension Plans Disclosure Act, on the basis of the fact that—

"(A) a son or daughter of the participant is not a biological child of the participant; or

"(B) a son or daughter that is not a biological child of the participant has a health-related condition that existed prior to the date on which the child became a son or daughter of the participant.

"(3) Nothing in this subsection shall be construed to require any person to extend a benefit under an employee benefit plan to any participant if the person would not otherwise be required to extend the benefit to a participant with a biological child.

"(c) The provisions of section 502 shall be applicable in the enforcement of this section."

**SEC. 9. EQUAL LEAVE BENEFITS FOR ADOPTIVE PARENTS.**

(a) **DEFINITIONS.**—As used in this section:

(1) **COMMERCE.**—The terms "commerce" and "industry or activity affecting commerce" mean any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and include "commerce" and any "industry affecting commerce", as defined in paragraphs (3) and (1), respectively, of section 120 of the Labor Management Relations Act, 1947 (29 U.S.C. 142 (3) and (1)).

(2) **EMPLOY.**—The term "employ" has the meaning given the term in section 3(g) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(g)).

(3) **EMPLOYEE.**—The term "employee" means any individual employed by an employer.

(4) **EMPLOYER.**—The term "employer" means any person engaged in commerce or in any industry or activity affecting commerce.

(5) **EMPLOYMENT BENEFITS.**—The term "employment benefits" means all benefits pro-

vided or made available to employees by an employer, including health insurance, sick leave, and annual leave, regardless of whether such benefits are provided by a policy or practice of an employer or through an "employee welfare benefit plan", as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(1)).

(6) **LEAVE BENEFIT.**—The term "leave benefit" means—

(A) any leave provided by the employer to enable a parent to prepare for the arrival of a son or daughter or to care for a son or daughter;

(B) any right to reemployment with the employer after the leave described in subparagraph (A); and

(C) any right to the receipt of pay or employment benefits, or the accrual of seniority, during the leave described in subparagraph (A).

(7) **PARENT.**—The term "parent" means the biological parent, adoptive parent, prospective adoptive parent, legal guardian, or step-parent, of the child.

(8) **SON OR DAUGHTER.**—The term "son or daughter" means a biological or adopted child, a stepchild, a legal ward, or a child placed for adoption.

(b) **NONDISCRIMINATION.**—It shall be an unlawful employment practice for an employer to discriminate against an employee with respect to a term or condition of any leave benefit on the basis of the fact that a son or daughter of an employee is not a biological child of the employee.

(c) **RIGHT TO BRING CIVIL ACTION.**—

(1) **IN GENERAL.**—Subject to the limitations contained in this section, any person may bring a civil action against an employer to enforce the provisions of this section in any appropriate court of the United States or in any State court of competent jurisdiction.

(2) **TIMING OF COMMENCEMENT OF CIVIL ACTION.**—No civil action may be commenced under paragraph (1) later than 1 year after the date of the last event that constitutes the alleged violation.

(3) **VENUE.**—An action brought under paragraph (1) in a district court of the United States may be brought in any appropriate judicial district under section 1391 of title 28, United States Code.

(4) **RELIEF.**—In any civil action brought under paragraph (1), the court may—

(A) grant as relief against any respondent that violates any provision of this title—

(i) any permanent or temporary injunction, temporary restraining order, or other equitable relief as the court determines appropriate; and

(ii) damages in an amount equal to any wages, salary, employment benefits, or other compensation denied or lost to such eligible employee by reason of the violation, plus interest on the total monetary damages calculated at the prevailing rate; and

(B) award to a prevailing party (other than the United States) in the action a reasonable attorney's fee.

(d) **CONSTRUCTION.**—Nothing in this section shall be construed to require an employer to provide any leave benefit that the employer would not otherwise have provided to an employee with a biological child.

**SEC. 10. PAYMENTS TO STATES FOR EXPEDITED PLACEMENT UNDER THE ADOPTION ASSISTANCE PROGRAM.**

(a) **IN GENERAL.**—Section 474(a)(3) of the Social Security Act (42 U.S.C. 674(a)(3)), as amended by section 5071 of the Omnibus Budget Reconciliation Act of 1990, is amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) by striking "and" at the end of subparagraph (B); and

(3) by inserting after subparagraph (B) the following new subparagraph:

"(C) 80 percent of so much expenditures as are for the recruitment of adoptive parents in any case where the placement for adoption of a child with special needs occurs not later than 3 months after the child is determined under State law to be legally free for adoption, and"

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to payments made for each quarter beginning on or after 60 days after the date of enactment of this Act.

**SEC. 11. SENSE OF CONGRESS REGARDING CHANGES IN STATE ADOPTION LAWS.**

(a) **IN GENERAL.**—It is the sense of Congress that each State should adopt, and assume responsibility for enforcing laws, rules, or regulations that would provide that—

(1) the State shall make available to a prospective adoptive parent all relevant information with respect to the placement of the child for adoption, including information with respect to the medical, social, and adoption and foster care placement history and ethnic background of the child and the biological parents of the child (except to the extent that such information would identify the child or biological parents) and shall impose criminal penalties on any person who makes an unauthorized disclosure of such information;

(2) a State-approved professional working in a licensed agency setting shall investigate the prospective adoptive parent of a child before the child is placed with such parent for adoption;

(3) the courts of the State shall not finalize any adoption before each party to the adoption proceeding has submitted to the court all information relating to the costs incurred by or on behalf of the party in connection with the adoption, including a list of all payments, benefits, gifts, or other things of value;

(4) the State shall require adequate legal representation with respect to the adoption proceeding for the biological mother of a child who is the subject of such proceeding, if the biological mother wants separate legal representation;

(5) if a child is placed with an individual pursuant to a written plan of adoption before the adoption occurs and such individual does not file a petition for the adoption of the child with the appropriate court during the 6-month period beginning on the date the child is placed with such individual, and the individual cannot demonstrate just cause for failure to file the petition during such period, such individual shall be barred from adopting the child; and

(6) with respect to each health benefit plan providing coverage to individuals in the State—

(A) each such plan shall provide coverage of health expenses relating to pregnancy and childbirth (not including any expenses relating to carrying out a surrogate parenting arrangement)—

(i) upon the adoption of a child by an individual enrolled in the plan, for the child and for the biological mother of such child, with respect to expenses incurred after the individual enrolled in the plan furnishes written notice to the sponsor of the plan of the intent of the individual to adopt the child of the biological mother, and

(ii) for any dependent child of an individual enrolled in the plan; and

(B) the sponsor of such a plan may not exclude, terminate, or otherwise limit coverage under the plan with respect to the adopted child of an individual enrolled in the plan on the basis that such child has a pre-existing condition.

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

(1) the term "health benefit plan" means any plan, fund, or program that provides medical care to participants or beneficiaries directly or through insurance, reimbursement, or otherwise;

(2) the term "preexisting condition" means any disease, disability, disorder, impairment, or other health condition; and

(3) the term "sponsor" means any entity in a State providing a health benefit plan in a State.

Mr. CRAIG. Mr. President, I am pleased to join with my colleagues today in introducing the Omnibus Adoption Assistance and Material Health Certificates Act.

This bill consolidates some of the best ideas contained in my bill, S. 1301, and that of Senators GORTON and NUNN. We've always focused on a common goal: to make adoption a more available and more affordable alternative for families. Now we have a common legislative vehicle as well.

Why do we need this legislation?

I've talked before on this floor about my own experience adopting the children of my wife, Suzanne. That experience made me appreciate the hardships associated with this method of becoming a parent—yet I faced only a fraction of the cost, the wait, the red tape and the postadoption difficulties of most adoptive parents.

In America today, the deck is stacked against adoption. For example, the costs of a normal birth are two-thirds the cost of adoption. Health insurance often covers babies from birth when they're born to insured families—but usually covers adopted babies only after the adoption becomes final, which is typically 18 months or longer after the adoptive parents assume financial responsibility for the child. Parental leave policies rarely cover the situation of a family trying to stabilize the home life of a newly adopted child. Nearly half of all pregnancy counselors do not include adoption as an alternative in their counseling—and just as many have inaccurate information or are at least uncertain about adoption.

Perhaps most important, too few people know enough about adoption to consider it as an alternative when making choices about their lives and the futures of their families.

Yet, Mr. President, adoption is a "win-win" alternative. Statistics show that an adopted child has a 90 percent chance of living with married parents—and a 54 percent chance of living in a home with a family income three times higher than the poverty level. Adoptive parents have the chance to build the families they long for. Young, unmarried women who make adoption plans for their babies are more likely to com-

plete high school, less likely to live in poverty, and less likely to receive public assistance than single parents. And promoting permanent, adoptive homes also helps to reduce the burdens on publicly funded foster care programs.

I think the Omnibus Adoption Assistance and Material Health Certificates Act will help insure that adoption is a workable alternative for American families. It would require the Department of Health and Human Services to move ahead with the adoption data collection system already mandated by this Congress. It would secure equal treatment for adoptive parents and children in insurance policies and parental leave policies. It would encourage the States to pass and enforce important adoption laws. It would make graduate fellowships and grants available to promote innovative education programs. And it would establish a National Advisory Council on adoption to monitor the implementation of the act and recommend additional changes in the law.

I hope all of our colleagues will work with us to pass this bill and support the countless Americans who have already chosen to adopt a child or who would like to become adoptive families.

#### ADDITIONAL COSPONSORS

S. 1100

At the request of Mr. KERRY, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1100, a bill to authorize the Secretary of Housing and Urban Development to provide grants to urban and rural communities for training economically disadvantaged youth in education and employment skills and to expand the supply of housing for homeless and economically disadvantaged individuals and families.

S. 1372

At the request of Mr. GORE, the names of the Senator from Indiana [Mr. COATS], and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of S. 1372, a bill to amend the Federal Communications Act of 1934 to prevent the loss of existing spectrum to Amateur Radio Service.

S. 1675

At the request of Mr. PRYOR, his name was added as a cosponsor of S. 1675, a bill to amend title 49, United States Code, regarding the collection of certain payments for shipments via motor common carriers of property and household goods freight forwarders, and other purposes.

S. 1883

At the request of Mr. HOLLINGS, the names of the Senator from Alabama [Mr. HEFLIN], the Senator from Connecticut [Mr. DODD], and the Senator from Montana [Mr. BURNS] were added as cosponsors of S. 1883, a bill to pro-

vide for a joint report by the Secretary of Health and Human Services and the Secretary of Agriculture to assist in decisions to reduce administrative duplication, promote coordination of eligibility services and remove eligibility barriers which restrict access of pregnant women, children, and families to benefits under the food stamp program and benefits under titles IV and XIX of the Social Security Act.

S. 1988

At the request of Mr. COHEN, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 1988, a bill to amend title XVIII of the Social Security Act to provide for improved standards to prevent fraud and abuse in the purchasing and rental of durable medical equipment and supplies, and prosthetics and orthotics, and prosthetic devices under the Medicare Program, and for other purposes.

S. 2083

At the request of Mr. CRAIG, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 2083, a bill to provide for an extension of regional referral center classifications, and for other purposes.

S. 2141

At the request of Mr. KENNEDY, the names of the Senator from Vermont [Mr. JEFFORDS], the Senator from New Mexico [Mr. BINGAMAN], and the Senator from Minnesota [Mr. DURENBERGER] were added as cosponsors of S. 2141, a bill to amend the Public Health Service Act to improve the quality of long-term care insurance through the establishment of Federal standards, and for other purposes.

S. 2400

At the request of Mr. PRYOR, the name of the Senator from Nebraska [Mr. KERREY] was added as a cosponsor of S. 2400, a bill to amend title XVIII of the Social Security Act to extend special payments under part A of Medicare for the operating costs of inpatient hospital services of hospitals with a high proportion of patients who are Medicare beneficiaries.

S. 2484

At the request of Mr. KASTEN, the names of the Senator from Colorado [Mr. BROWN], and the Senator from Nevada [Mr. REID] were added as cosponsors of S. 2484, a bill to establish research, development, and dissemination programs to assist State and local agencies in preventing crime against the elderly, and for other purposes.

S. 2680

At the request of Mr. PRYOR, the names of the Senator from Florida [Mr. MACK], and the Senator from Nebraska [Mr. KERREY] were added as cosponsors of S. 2680, a bill to amend title XVIII of the Social Security Act to require the Secretary of Health and Human Services to consult with State medical societies in revising the geographic adjust-

ment factors used to determine the amount of payment for physicians' services under part B of the Medicare Program, to require the Secretary to base geographic-cost-of-practice indices under the program upon the most recent available data, and for other purposes.

S. 2865

At the request of Mr. REID, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 2865, a bill to provide assistance for workers adversely affected by a nuclear testing moratorium.

S. 2887

At the request of Mr. MCCONNELL, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 2887, a bill to amend title IV of the Social Security Act to provide that the Secretary of Health and Human Services shall enter into an agreement with the Attorney General of the United States to assist in the location of missing children.

S. 2889

At the request of Mr. BOREN, the name of the Senator from Illinois [Mr. DIXON] was added as a cosponsor of S. 2889, a bill to repeal section 5505 of title 38, United States Code.

S. 2899

At the request of Mr. KENNEDY, the names of the Senator from Connecticut [Mr. DODD], the Senator from Massachusetts [Mr. KERRY], the Senator from Ohio [Mr. METZENBAUM], the Senator from Rhode Island [Mr. PELL], and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of S. 2899, a bill to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes.

S. 2909

At the request of Mr. BENTSEN, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of S. 2909, a bill to amend the Tariff Act of 1930 to establish an Office of Trade and Technology Competitiveness in the International Trade Commission.

S. 2949

At the request of Mr. KENNEDY, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 2949, a bill to amend the Public Health Service Act to provide for the conduct of expanded research and the establishment of innovative programs and policies with respect to traumatic brain injury, and for other purposes.

S. 2980

At the request of Mr. INOUE, the names of the Senator from Indiana [Mr. COATS], the Senator from Utah [Mr. HATCH], and the Senator from Kansas [Mrs. KASSEBAUM] were added as cosponsors of S. 2980, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act with respect to minor uses of pesticides.

S. 3009

At the request of Mr. DOMENICI, the name of the Senator from Arizona [Mr. DECONCINI] was added as a cosponsor of S. 3009, a bill to amend title 10, United States Code, to provide for the payment of an annuity or indemnity compensation to the spouse or former spouse of a member of the Armed Forces whose eligibility for retired or retainer pay is terminated on the basis of misconduct involving abuse of a dependent, and for other purposes.

S. 3020

At the request of Mr. MCCONNELL, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 3020, a bill to repeal the prohibition in the District of Columbia on individuals carrying self defense items such as MACE.

SENATE JOINT RESOLUTION 292

At the request of Mr. SMITH, the name of the Senator from Delaware [Mr. BIDEN] was added as a cosponsor of Senate Joint Resolution 292, a joint resolution to provide for the issuance of a commemorative postage stamp in honor of American prisoners of war and Americans missing in action.

SENATE JOINT RESOLUTION 306

At the request of Mr. D'AMATO, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Joint Resolution 306, a joint resolution designating October 1992 as "Italian-American Heritage and Culture Month."

SENATE CONCURRENT RESOLUTION 126

At the request of Mr. SHELBY, the names of the Senator from Ohio [Mr. GLENN] and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of Senate Concurrent Resolution 126, a concurrent resolution expressing the sense of the Congress that equitable mental health care benefits must be included in any health care reform legislation passed by the Congress.

SENATE RESOLUTION 325

At the request of Mr. D'AMATO, the names of the Senator from Utah [Mr. HATCH] and the Senator from Florida [Mr. MACK] were added as cosponsors of Senate Resolution 325, a resolution expressing the sense of the Senate that the Government of the Yemen Arab Republic should lift its restrictions on Yemeni-Jews and allow them unlimited and complete emigration and travel.

AMENDMENT NO. 1867

At the request of Mr. MCCAIN the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of Amendment No. 1867 intended to be proposed to S. 2312, a bill to amend the Federal Aviation Act of 1958 to enhance competition at, and the provision of essential air service with respect to high-density airports, and for other purposes.

AMENDMENTS SUBMITTED

COMMERCE, JUSTICE, AND STATE,  
THE JUDICIARY AND RELATED  
AGENCIES APPROPRIATIONS FOR  
FY 1993

GRAHAM (AND OTHERS)  
AMENDMENT NO. 2765

Mr. GRAHAM (for himself, Mr. PRYOR, and Mr. KOHL) proposed an amendment to the bill (S. 3026) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1993, and for other purposes; as follows:

On page 78, line 22, strike out "\$2,101,000,000" and insert in lieu thereof "\$2,016,035,000".

GRAHAM (AND OTHERS)  
AMENDMENT NO. 2766

Mr. GRAHAM (for himself, Mr. PRYOR, and Mr. KOHL) proposed an amendment to the bill, S. 3026, supra, as follows:

On page 6, line 10, strike out "\$118,234,000" and insert in lieu thereof "\$110,100,000".

GRAHAM (AND OTHERS)  
AMENDMENT NO. 2767

Mr. GRAHAM (for himself, Mr. PRYOR, and Mr. KOHL) proposed an amendment to the bill S. 3026, supra, as follows:

On page 50, line 26, strike out "\$32,654,000" and insert in lieu thereof "\$31,280,000".

AGRICULTURE, RURAL DEVELOPMENT,  
FOOD AND DRUG ADMINISTRATION,  
AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, FISCAL YEAR 1993

LEAHY (AND OTHERS)  
AMENDMENT NO. 2768

Mr. LEAHY (for himself, Mr. DURENBERGER, and Mr. KASTEN) proposed an amendment to the bill (H.R. 5487) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1993, and for other purposes, as follows:

On page 30:

(1) On line 5, strike "\$714,551,000" and insert in lieu thereof "\$702,451,000"; and

(2) On line 6, strike "\$712,926,000" and insert in lieu thereof "\$700,826,000".

On page 33, line 5, strike "\$326,048,000" and insert in lieu thereof "\$309,948,000".

On page 47, between lines 3 and 4, insert the following:

"WETLANDS RESERVE PROGRAM

"For necessary expenses to carry out the Wetlands Reserve Program on a national basis pursuant to subchapter C of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.), \$54,900,000 to remain

available until expended: Provided, That none of the funds made available by this Act shall be used to enter in excess of 61,500 acres in fiscal year 1993 into the Wetlands Reserve Program provided for herein: Provided further, That the Secretary is authorized to use the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of carrying out the Wetlands Reserve Program."

On page 88, strike line 1 and all that follows through line 5; and insert in lieu thereof the following:

"SEC. 728. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries of personnel who carry out a program for the purchase of computer hardware and software and other costs in support of long-range Information Resources Management objectives in Automated Data Processing if the aggregate amount of funds for such purchases exceeds \$35,700,000."

#### GRAHAM AMENDMENT NO. 2769

Mr. GRAHAM proposed an amendment to the bill H.R. 5487, supra, as follows:

On page 64, line 14, strike out "\$39,307,000" and insert in lieu thereof "\$37,795,000," and on line 15, strike out "\$30,330,000", and insert in lieu thereof "\$29,163,000", and on line 17, strike out "\$8,977,000", and insert in lieu thereof "\$8,632,000."

#### MCCAIN (AND OTHERS) AMENDMENT NO. 2770

Mr. MCCAIN (for himself, Mr. KASTEN, Mr. D'AMATO, Mr. REID, and Mr. PRESSLER) proposed an amendment to the bill H.R. 5487, supra, as follows:

The Senate finds that on November 12, 1991, the Senate unanimously adopted an amendment to H.R. 2967, a bill to reauthorize the Older Americans Act of 1965, to repeal the social security earnings test;

The Senate finds that the social security earnings test is the last bastion of age discrimination;

The Senate finds that the seniors who need to work, or choose to work, must forfeit \$1 in social security benefits for every \$3 earned over \$10,200;

The Senate finds that the social security earnings test translates into an effective tax burden of 33 percent, making those individuals who are confronted with the social security earnings test the highest taxed individuals in America;

The Senate finds that the social security earnings test is a major deterrent to those seniors who would like to stay in, or return to, the work force, and an unfair penalty to those seniors who must go back to work;

The Senate finds that many of our Nation's seniors are going back to work in order to pay for basic expenses such as health care, food, clothing, and shelter because they have no private pension or liquid investments;

The Senate finds that other seniors would choose to stay in the work force, or return to the work force, if they would not face the punitive social security earnings test;

The Senate finds that the social security earnings test costs the United States \$15 billion a year in reduction production;

The Senate finds that eliminating the social security earnings test would save over \$200 million a year in compliance costs for the Social Security Administration; and

The Senate finds that dynamic economic estimates indicate that eliminating the so-

cial security earnings test would net as much as \$140 million in extra Federal tax revenue, therefore, taxes do not need to be increased to pay for elimination of the social security earnings test.

The Senate reaffirms its commitment to repeal the social security earnings test, or substantially increase the Social Security earnings test, without raising taxes.

#### BENTSEN AMENDMENT NO. 2771

Mr. BENTSEN proposed an amendment to the bill H.R. 5487, supra, as follows:

Strike all after the word "insert" and insert the following:

(a) FINDINGS.—The Senate finds that:

(1) Many older Americans remain in the work force after they reach age 65, or would like to do so;

(2) Under current law, the benefits of Social Security recipients are reduced by \$1 for every \$3 earned in excess of \$10,200;

(3) This provision of current law penalizes these recipients and reduces their incentive to work;

(4) This penalty and disincentive should be eased as quickly as possible;

(5) The Senate approved, by a vote of 94-3 on April 7th of this year, an amendment to the Budget Resolution, whose purpose was to limit the levels of Social Security outlays and revenues assumed in the Resolution to current services levels; and

(6) Such limitation would ensure that, any new legislation will not reduce the levels of Social Security reserves, thereby endangering the payment of Social Security benefits to elderly and disabled beneficiaries.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Social Security earnings test be eased in a manner which does not reduce the levels of Social Security Trust Fund Reserves.

#### LEAHY AMENDMENT NO. 2772

Mr. BUMPERS (for Mr. LEAHY) proposed an amendment to the bill H.R. 5487, supra, as follows:

On page 57, line 6, before the "." insert the following: "Provided further, That \$400,000 of the amount made available under this heading in fiscal year 1992 shall be made available to the Vermont State Colleges in fiscal year 1992: Provided further, that \$400,000 of the amount made available by this paragraph shall be made available to the Vermont State Colleges to construct maintain and operate additional educational and learning centers and to provide educational programming in fiscal year 1993"

#### DOLE AMENDMENT NO. 2773

Mr. COCHRAN (for Mr. DOLE) proposed an amendment to the bill H.R. 5487, supra; as follows:

On page 57, line 6, insert before the ".", "Provided further, That \$400,000 shall be available to the North Central Kansas Electric Cooperative, Inc, Belleville, Kansas to repair wind and storm damage from an inland hurricane".

#### SIMPSON AMENDMENT NO. 2774

Mr. COCHRAN (for Mr. SIMPSON) proposed an amendment to the bill H.R. 5487, supra, as follows:

On page 61, line 9, after "1982.", insert the following: "Provided further, That, not later

than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that proposes program participant criteria for electric and telephone borrowers under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.)."

#### SIMON AMENDMENT NO. 2775

Mr. SIMON proposed an amendment to the bill H.R. 5487, supra, as follows:

On page 87, line 24, strike "\$174,500,000" and insert in lieu thereof "\$170,700,000".

On page 77, line 21, strike "\$744,135,000" and insert in lieu thereof "\$746,035,000".

On page 77, line 23, before the period insert *Provided further*, That \$1,900,000 of the funds made available to the Food and Drug Administration shall be available to fund a clinical pharmacology pilot program."

#### DOMENICI (AND OTHERS) AMENDMENT NO. 2776

Mr. DOMENICI (for himself, Mr. DOLE, Mr. MURKOWSKI, Mr. MCCONNELL, Mr. DECONCINI, and Mr. LEAHY) proposed an amendment to the bill H.R. 3026, supra, as follows:

At the appropriate place, insert the following:

#### SECTION . ADJUSTED COST OF THRIFTY FOOD PLAN.

Section 3(o)(11) of the Food Stamp Act of 1977 (7 U.S.C. 2012(o)(11)) is amended by inserting before the period at the end the following: ", except that on October 1, 1992, the Secretary may not reduce the cost of such diet".

#### BOREN (AND NICKLES) AMENDMENT NO. 2777

Mr. BOREN (for himself and Mr. NICKLES) proposed an amendment to the bill H.R. 5487, supra, as follows:

On page 57, line 6, before the period, insert "Provided further, That \$500,000 shall be available to the city of Seminole, Oklahoma industrial foundation to make improvements in the water and sewer system of the City of Seminole and its industrial sites sufficient to accommodate a major industrial expansion".

#### BRYAN AMENDMENT NO. 2778

Mr. BRYAN proposed an amendment to the bill H.R. 5487, supra, as follows:

On page 87, line 24, strike "\$170,700,000" and insert in lieu thereof "\$75,000,000."

#### BROWN AMENDMENT NO. 2779

Mr. BROWN proposed an amendment to the bill H.R. 5487, supra, as follows:

On page 93, after line 24, insert the following new section:

SEC. . (a) In the case of any applicant for assistance provided with funds appropriated under this Act, the applicant shall include the information described in section 6109 of the Internal Revenue Code of 1986.

(b) Any agency processing any application described in subsection (a) shall submit the information provided by the applicant (including the dollar value of the United States Government assistance to the applicant) to the Internal Revenue Service.

(c) On a written request from the Director of the Office of Management and Budget or the Director of the Congressional Budget Office, the Secretary of the Treasury shall furnish each such Office with—

- (1) the dollar value of the United States Government assistance to the applicant; and
- (2) any return or return information specified in the request, except any return or return information that can be associated with, or otherwise identify, directly, or indirectly, a particular taxpayer.

#### BROWN AMENDMENT NO. 2780

Mr. BROWN proposed an amendment to the bill H.R. 5487, supra, as follows:

At the appropriate place, insert the following new section:

SEC. . None of the funds made available by this Act may be used to support the price of honey through loans, purchases, payments, or other operations under section 207 of the Agricultural Act of 1949 (7 U.S.C. 1446b) or any other provision of law.

#### HARKIN (AND DECONCINI) AMENDMENT NO. 2781

Mr. HARKIN (for himself and Mr. DECONCINI) proposed an amendment to the bill H.R. 5487, supra, as follows:

On page 88, insert between lines 20 and 21, the following new section:

SEC. 731. No funds appropriated or made available under this Act, or any other Act, may be expended (with regard to the travel expenses of any employee in a position of a confidential or policy-determining character under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations, a noncareer appointee in the Senior Executive Service, or an officer serving in a position on the Executive Schedule, who receives pay from funds appropriated under this Act) during the period beginning on October 1, 1992 through November 4, 1992 in excess of the higher of—

(1) the amount of travel expenses incurred by the officer or employee serving in such position during the period beginning on October 1, 1991 through November 4, 1991;

(2) 10 percent of the amount of the travel expenses incurred by the officer or employee serving in such position during fiscal year 1992; or

(3) in the case of an officer or employee in a position which was established during fiscal year 1992, the median travel expenses of—

(A) in the case of a schedule C employee, all such schedule C employees in the executive branch of the Government during the period beginning on October 1, 1991 through November 4, 1991;

(B) in the case of a noncareer appointee in the Senior Executive Service (not otherwise covered under subparagraph (C)), all such noncareer appointees in the executive branch of the Government during the period beginning on October 1, 1991 through November 4, 1991; and

(C) in the case of an officer in a position on the Executive Schedule, all officers in the same level of the Executive Schedule during the period beginning on October 1, 1991 through November 4, 1991.

#### NOTICE OF HEARINGS

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. NUNN. Mr. President, I would like to announce for the information of

the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, will hold a hearing on Asian organized crime: Part 4.

This hearing will take place on Tuesday, August 4, 1992, at 9:30 a.m., in room 342 of the Dirksen Senate Office Building. For further information, please contact Daniel F. Rinzel of the subcommittee's minority staff at 224-9157.

##### SPECIAL COMMITTEE ON AGING

Mr. PRYOR. Mr. President, I ask unanimous consent that the Special Committee on Aging, be authorized to meet during the session of the Senate on Wednesday, July 29, 1992, at 9:30 a.m. to hold a hearing entitled "Grandparents as Parents: Raising a Second Generation."

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON THE JUDICIARY

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, July 28, 1992, at 2 p.m. to hold a hearing on health care fraud.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands, National Parks and Forests of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 2:30 p.m., July 28, 1992, to receive testimony on the health of the eastside forests in Oregon and Washington and amendment No. 1442 to S. 1156, the Federal Land and Families Protection Act of 1991.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 28, at 10 a.m. to hold a hearing on United States and Chinese policies toward occupied Tibet.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet during the session of the Senate on Tuesday, July 28, 1992, at 10 a.m., for a hearing on comprehensive services for America's youth.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Commit-

tee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., July 28, 1992, to receive testimony from Hugo Pomrehn, nominee to be Under Secretary of Energy and John Easton, Jr., to be an Assistant Secretary of Energy for Domestic and International Energy Policy, Department of Energy.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ARMED SERVICES

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, July 28, 1992, at 9:30 a.m., in open session, to receive testimony on the military implications of the START Treaty and the June 17, 1992, United States/Russian joint understanding on further reductions in strategic offensive arms.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON CONSUMERS

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Consumer Subcommittee, of the Committee on Commerce, Science, and Transportation, be authorized to meet during the session of the Senate on July 28, 1992, at 9:30 a.m. on the Federal Trade Commission Reauthorization.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON PATENTS

Mr. BUMPERS. Mr. President, I ask unanimous consent that the Subcommittee on Patents, Copyrights, and Trademarks of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Tuesday, July 28, 1992, at 10 a.m. on S. 1581, a bill to amend the Stevenson-Wylder Technology Innovation Act of 1980 to enhance technology transfer for works prepared under certain cooperative research and development.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADDITIONAL STATEMENTS

##### HATE CRIMES

• Mr. SIMON. Mr. President, I would again like to bring to the Senate's attention the nationwide increase in acts of violence based on prejudice. These tragic incidents divide our country. They breed animosity and mistrust, and worst of all, they provoke further acts of violence. Only through an awareness of the magnitude of the problem, can we work to break this self-perpetuating cycle of bigotry and violence.

Today, I wish to direct your attention to the recent racially charged brawl at Olivet College, in Olivet, MI. Unfortunately, this is not an isolated incident in our Nation's schools. It is only a chilling example of the bigotry,

xenophobia, anti-Semitism, and homophobia that appears at too many of our colleges and universities.

Congregational Church missionaries founded Olivet College in 1844. Since that time, the interracial student body has enjoyed a spirit of peace and cooperation. The events in early April shattered this spirit and threatened to replace it with an atmosphere of fear and mistrust.

On April 1, a female white student stated to the police that four black students assaulted her in a park near the Olivet campus. Police viewed her story with skepticism. The incident, however, was not forgotten. Fires were set in trash cans on a dormitory floor where many black students live, and rumors began to circulate that white students were planning an attack on black students in retaliation for the alleged assault.

The next day, another female white student claimed to receive a threatening phone call alluding to the prior alleged assault. She called her sorority house, where some fraternity members were visiting and named three black students as the ones who had made the threatening call. A group of the fraternity members, all of whom were white, volunteered to check on her. In her dorm lobby, the fraternity group met with two of the students who allegedly made the threatening phone call. The students began shouting racial epithets and insulting names at each other. The shouting escalated into a brawl involving nearly 70 students. Two students were injured in this racial melee; and, as an injured black student was being led away, people in the crowd shouted, "run, niggers, run."

As you can imagine, this violence seriously damaged race relations within the college. Students, who used to be friends, were now suspicious of one another. One student who made conciliatory statements, reports that he received "hate mail from whites all over this State." Fearing for their safety, a majority of the black students left the campus before the end of their spring term and completed their courses by mail.

Olivet College now must concentrate on overcoming this tension. The most promising measure, to hear the strained race relations on campus, is a new \$100,000 multiculturalism program authorized by the trustees. Healing, however, promises to be slow. Idris Fountain, who leads an eight member black group that decided to remain on campus, believes that it is important to stay on campus to make a stand. According to Fountain, "Right now we're in the midst of a civil war on this campus, and you can't turn your back on it. You have to face it."

Mr. President, we must not only face overt acts of violence and bigotry, but we must also work to prevent such violence. Unfortunately, the absence of

overt bigotry does not make any community immune to the problems of hatred. The violence at Olivet proves this danger. Olivet student, Robert Hunwick, teaches us the importance of being aware of tension and hatred. "I personally didn't see it—the hatred that exists. I didn't see it on this campus, but it's there."•

#### SALUTE TO FRANK R. LEWIS, JR., MD

• Mr. DASCHLE, Mr. President, I rise today to pay tribute to a distinguished surgeon, Dr. Frank Russell Lewis, Jr. For the past 4 years, Dr. Lewis, a professor and vice chairman of the department of surgery at the University of California, San Francisco, has served as the surgeon-in-chief of the world-renowned San Francisco General Hospital. He has sustained and enhanced the proud traditions of that institution, and has been responsible for surgical care of the injured of San Francisco City and County, and, indeed, for many others in northern California.

As an investigator, Dr. Lewis has been a leader in developing a better understanding of the physiologic response to injury and shock, and has served as president of the Shock Society. He has chaired the Trauma Outcomes Task Force of the Joint Commission on the Accreditation of Hospitals, and is the chairman of the Executive Committee of the Board of Governors of the American College of Surgeons. He also serves as a member of the residency review committee for surgery.

Dr. Lewis has been a leader in delineating and promoting the best possible approach to the care of the trauma patient: the prevention of the injury itself. He has been a key adviser to the Centers for Disease Control and to the Health Resources Services Administration and the U.S. Public Health Service.

As Dr. Lewis leaves the San Francisco General Hospital, his leadership, scholarship, and surgical skill will serve as an enduring inspiration not only for his colleagues in San Francisco, but for all who care for the injured. I am proud to salute Dr. Frank R. Lewis.•

#### DEMOCRATIC HISPANIC TASK FORCE FIELD HEARING

• Mr. SIMON, Mr. President, I ask unanimous consent that the final group of testimony from the field hearing of the Senate Democratic Hispanic Task Force on Issues Facing the Hispanic Family be included in the RECORD at this point.

The material follows:

UNIVERSIDAD POPULAR,  
Chicago, IL, May 4, 1992.

To: U.S. Senate Democratic Hispanic Task Force.

From: Universidad Popular Community Based Organization.

Re: To express our views and demands to shed some light on Latino issues from a personal level.

DEAR SENATOR SIMON: Universidad Popular takes the opportunity to be present in those meetings that can help us to continue our mission. Today we want to express and share with you some of the concerns and demands that we feel are just ones in a society that boasts to provide equality for all, but does not do so in practice. We would also like to thank Illinois Senator Paul Simon for the help he provided us in passing the book, "Making It Against All the Odds or an Immigrant's Odyssey To the U.S.A." into the United States of America Congressional Record Proceedings and Debates of the 102d Congress, First Session, Vol. 137, No. 73 on Wednesday, May 15, 1991.

We are participants in a small Latino community agency, that is nevertheless large with respect to the number of people receiving services. The agency had its humble beginnings in the early seventies. Throughout these years the agency has had to continually struggle for each and every day of its existence. We have managed to stay afloat through many sacrifices by the countless and now nameless people that have helped Universidad Popular stay alive. Our agency knows for a fact that unless we eradicate the problem of illiteracy once and for all, the critical problems that the U.S. faces now will never go away. Only through educating our people will our nation remove these malignancies from our communities and our country. It is by no mistake that our mission and our purpose states that our method is Education by, for and with the people.

Now, there is a myriad of specific problems that we as participants, staff and administrators are facing because of budget cuts and continual economic doom. As far as continuing services for our community, we have been forced to service the same if not larger number of people with less money, and consequently with less personnel. This hinders the quality and development of our program itself. To expedite the federal monies to community education agencies, we propose that middlemen like Public Libraries and others such institutions be taken out of the bureaucratic process of money allocations to agencies like ours. We feel this is the best way to channel these funds.

We would like to have, as always, your input and opinion, please write us to:

Universidad Popular, 2750 W. North Ave., Suite 204, Chicago IL 60647.

PILSEN NEIGHBORS COMMUNITY COUNCIL,  
Chicago, IL, May 4, 1992.

Senator PAUL SIMON,  
State of Illinois.

DEAR SENATOR: We as a community feel strongly that the children in Pilsen are currently inadequately served by the Chicago Public Schools. Without exception, our children attend overcrowded schools. The average class size in Pilsen is 34; some of our children sit in class rooms with as many as 38 other children. Worse, other children are taught in hallways, closets, converted gymnasiums, or share space with the lunchroom. Too many of our children are forced to have classes in dilapidated mobile units. These are not only physically ugly and smelly places, they are a safety and security hazard as well. Too many of our children are being warehoused in facilities operated by the Chicago Public Schools: education is secondary.

Overcrowded schools are not a new problem in Pilsen: they have become a way of life here. In spite of that fact, Pilsen has had

only two new elementary schools built since the turn of the century. Less than a year after these two schools were opened, they too were overcrowded. As of September 1991, close to 1500 of our children were being bused out of our community because the schools simply did not have any more space for them. The anticipated closing of Providence of God Catholic School this spring will add 167 more children who need more classroom space in Pilsen schools.

Although compensatory programs, such as Federal and State Chapter 1, are offered in all of our schools, their effectiveness is hampered by the lack of inadequate space. The same holds true for bilingual and ESL services, and special education services. Psychologists, nurses, social workers, vision and hearing testers, and counselors are equally handicapped in their delivery of services by the lack of space. Consequently, our children are simply not being well served.

Many of our children are considered "at risk" when they enter school. As such, they should be provided with the best possible services in the most optimum environment in order that they get the most benefit from their schooling. Unfortunately, in Pilsen, less than 20% of those eligible are provided with a pre-school education. In too many schools where pre-school education is available, the students already attending the school were further squeezed together in order to find space for the pre-school program. We rob Pedro to provide for Pablo. Academic achievement is only a dream for the majority of our children. On average, only one in four achieves at or above grade level. Is it any wonder that approximately 70 percent of those who enter Benito Juarez High School (presently at 147 percent capacity!) drop out before they graduate?

We, parents and community members, are familiar with the educational research that finds that smaller schools (with populations of approximately 600) are the most effective. That is, smaller schools provide students with a better opportunity to learn. In fact, that Board of Education for the city of Chicago has recognized that smaller schools are more effective.

In order to provide a better education to the students of Pilsen, we are asking the State of Illinois to:

1. Allocate additional funds to construct at least four additional new elementary schools, and at least one new high school in Pilsen. (Student enrollment is expected to increase by 30 percent in the next ten years, i.e. by approximately 3200 students.)

2. Allocate funds to rehabilitate existing buildings to bring them up to a level where you would want your own children to attend.

3. Immediately replace existing mobiles with demountable units.

4. Build demountable units at all overcrowded schools to provide space for pre-school programs.

The State of Illinois should be exploring ways of increasing services to Pilsen, of providing our children with additional opportunities to get a basic education instead of balancing its budget at the expense of our children's future. We are asking that you, Paul Simon, Senator of Illinois deliver on these concerns.

ANGELA TORRES,

CHAIRPERSON,

PNCC Education Task Force.

ALIVIO MEDICAL CENTER,

Chicago, IL, May 1, 1992.

To: United States Senate Democratic Hispanic Task Force.

From: Carmen Velasquez.

My name is Carmen Velasquez and I am the Executive Director of Alivio Medical Center. Alivio is located in the middle of the Mexican Communities of Pilsen, Heart of Chicago, Little Village and Back of the Yards. Alivio is a not for profit comprehensive primary community health center that is three years and three months old. To date, we do not have federal, state or city funding.

Alivio Medical Center is a community owned health center—owned by the community through its Board. We own clear title to our facility which is valued at 2.1 million dollars. This facility was paid for by the support of private

foundations and corporations.

Alivio realizes that we cannot serve the noninsured and working poor without the help of significant others and this includes our government. Our community is part of those 37,000,000 people in this country without insurance or limited insurance, that hardly covers themselves, much less their families.

I came here today, because our community needs your help. The message to Washington is fund our health needs! If we do not have you as a significant partner, Alivio will not survive as a viable entity!

I view the United States Senate Democratic Hispanic Task Force for the 102d Congress as one of the most important groups of people who will touch every Hispanic neighborhood in the country.

Our issues are many; education, employment and health care are critical to the survival of our families. We need your help.

Thank you for allowing me to speak to you on this critical issue.

ALIVIO MEDICAL CENTER, INC., STATEMENTS OF REVENUES AND EXPENSES FOR THE YEARS ENDED JUNE 30, 1991 AND 1990

	1991	1990
<b>Revenues:</b>		
Net patient service revenue .....	\$411,268	\$104,873
Grants and contributions .....	358,624	318,480
Other operating revenue .....	34,987	8,756
<b>Total revenues .....</b>	<b>804,879</b>	<b>432,109</b>
<b>Expenses:</b>		
Salaries, wages and benefits .....	650,898	477,065
Depreciation .....	104,856	89,117
Provision for bad debts .....	66,379	24,892
Insurance .....	54,093	29,287
Supplies .....	53,272	40,245
Other .....	280,790	202,998
<b>Total expenses .....</b>	<b>1,210,288</b>	<b>863,604</b>
<b>Excess of expenses over revenues .....</b>	<b>(405,409)</b>	<b>(431,495)</b>

Note.—The audited financial statements are available upon request.

HISTORY AND SERVICES

In 1986, Hispanic community leaders formed a committee to address the problem of inadequate health services in the Hispanic community. Out of these meetings grew "Project Alivio," a concept for a comprehensive, bilingual health care center serving the near south side communities of Pilsen, Little Village, Heart of Chicago and Back of the Yards.

Alivio's founders were risk-takers, not dreamers. They saw an acute need and developed a plan to address it. With the backing of Mercy Hospital and Medical Center, they embarked upon a \$2.1 million capital campaign for the land, the construction of the building and its equipment.

With "Project Alivio" underway, the founders commissioned a survey to document the health care needs in the community. Tocar el Corozon, or To Touch the Heart, as the study was called, was con-

ducted by the Latino Institute in 1987. It brought to light a variety of characteristics of the target population that were to shape the services Alivio provides today. For example, youthfulness and high fertility rates indicated the need for the center's current emphasis on pediatric, obstetric and gynecological services.

The study also confirmed the importance of culturally sensitive medical services, which take into account the beliefs and values of the community. Today, our culturally sensitive health services and educational programs are gradually overcoming one of the most critical barriers to good health: the failure to understand the effects of a person's lifestyle on his or her own well-being.

When Alivio opened its doors in 1989, Mercy Hospital and Medical Center acted as its fiscal agent. While maintaining a good relationship with Mercy, Alivio became financially independent on March 1, 1992—thereby taking another step in its growth as a community health care institution. On March 20, 1992, Alivio was designated by the federal government as a Federally Qualified Health Center. As a result, the State of Illinois will increase Alivio's reimbursement for public aid patients from \$18 to \$70 per patient encounter.

DIRECT MEDICAL SERVICES

Program Goal: To alleviate cultural and economic barriers to health care through the delivery of affordable and quality bilingual and bicultural primary care to the predominantly Hispanic communities of Pilsen, Heart of Chicago, Little Village and Back of the Yards.

Total Number Served: 15,000 patient encounters in 1991-92.

Health care at Alivio addresses all five stages of life: prenatal, pediatric, adolescent, adult and geriatric. Philosophically, Alivio is committed to providing community-based health care in the context of the family, cultural respect, understanding and the dignity of the individual. Alivio emphasizes health promotion and disease prevention through primary preventive strategies, such as immunization and family planning, and secondary prevention methods, such as tests and screenings based on age, gender and medical history.

HEALTH CARE FOR MOTHERS AND INFANTS

Program Goal: To reduce the infant mortality rate, the incidence of pre-term and C-section deliveries, and the incidence of spontaneous abortions in the service areas. To provide continuous post-partum care for infants and their mothers. To provide preventive health care for children emphasizing parenting skills, nutrition, and health and safety education.

Number Served: 11,250 in 1991-92.

For mothers and infants, who make the majority of our patients, Alivio provides extensive prenatal and post-partum care.

As the result of aggressive community outreach, Alivio has been able to reach 80% of its pregnant patients in the first trimester of pregnancy—an important first step in the delivery of a healthy child. When high-risk pregnancies are indicated, Alivio refers patients to Mercy Hospital and Medical Center where they are provided a discounted prenatal package as Alivio patients. Alivio's approach to prenatal care emphasizes the values of nutrition, exercise, and breastfeeding. Patients attend classes in the Kraft Nutrition Room.

The key to proper post-partum care is education and maintenance. Building on its successful volunteer efforts to encourage

breastfeeding. Alivio is developing a volunteer-based community outreach program for in-home follow-up of all healthy newborns and mothers. Alivio uses the Periodic Health Survey protocol for screening schedule of newborns through adolescents; two weeks, two months, four months, six months, one year, 15 months, 18 months and yearly thereafter. Aggressive yet sensitive community outreach efforts are made to eliminate possible obstacles to post-partum care by providing appropriate assistance, such as baby-sitting, in-home follow-up, financial assistance, etc.

A computer retrieval system allows Alivio's staff to follow-up with patients who miss scheduled visits.

#### HEALTH EDUCATION AND PROMOTION

**Program Goal:** To increase the Hispanic community's knowledge and practice of healthy behaviors; to increase the community's knowledge of behaviors leading to ill health; and to reduce illness and foster good health through educational programs, health fairs, immunization campaigns and support groups for the Hispanic family.

Number served: 1,400 individuals in 1991-92. The Hispanic population in Alivio's service area is faced with a number of chronic health problems: heart disease, obesity, stroke, diabetes, cirrhosis of the liver, high infant mortality and substance abuse. Significantly, the incidence of each of these health problems can be greatly reduced by health education and promotion.

Alivio offers a wide range of prenatal, parenting and nutrition classes as well as drug and alcohol abuse counseling for adolescents and adults and support groups promoting wellness. Each is offered in both English and Spanish.

One of our most exciting education initiatives is the new parenting program, "Los Ninos Bien Educados." Developed under the English language name "Well Educated Children," and later adapted by Hispanics to be culturally sensitive to the Hispanic family, this 12-week, comprehensive, parenting skills program was previously a great success in California. "Los Ninos Bien Educados" is rooted in the Mexican-American culture and addresses issues as disparate as speaking Spanish in the home, behavior modification, discipline and gangs. Since Alivio began offering the program in 1990, 115 parents have graduated from the course.

In the spirit of broader, community-wide health promotion, Alivio sponsors an annual "Alivio y Salud" ("Alivio and Health") Run in April. The event is multi-faceted, including 10K and 5K runs and a 2K walk. Students at local schools, their parents and teachers, and even senior citizens are encouraged to participate. In conjunction with the event, physical fitness workshops are given in local schools to increase children's awareness of health issues. The second annual "Alivio y Salud" will take place on April 5, 1992.

#### HEALTH CAREER AWARENESS AND ADVANCEMENT

**Program Goal:** To increase the representation of Hispanics in the health care professions through placement and advancement programs for current health professionals and awareness programs for children.

Number of participants: 320 students; 30 health professionals in 1991-92.

There is a critical shortage of health care professionals in Alivio's service area.

Part of the solution is to train more Hispanic health care professionals. Hispanics are more likely to practice in impoverished Hispanic communities. And, if they are bilin-

gual and bicultural, they can offer more culturally sensitive medical care to the community.

Alivio is helping to fill the gap by sponsoring programs such as the Physicians Review Course. This program prepares Hispanic physicians trained in other countries to take the appropriate U.S. licensing exams. For many, this is not an easy task—they are taking extremely rigorous and technical examinations in a foreign language. Often, Spanish-speaking doctors from other countries work in the United States as laborers or medical technicians while attempting to obtain a license to practice in this country. Many never become doctors here.

Our Physician Review Course is moderately priced and comfortably housed in Alivio's library and research center. The Physician Review Course has recently been made available to Spanish-speaking students trained in American universities. Since Alivio began the Physicians Review Course in July, 1990, five physicians in the program have obtained their license to practice in the United States.

Alivio also stimulates interest in health care careers among the Hispanic high school students. With help from the Mayor's Employment Training Program, the Illinois Institute of Technology and the Chicago Public Schools, Alivio encourages students to consider the wide variety of health careers available to them, and provides guidance to those pursuing health care training.

#### RESEARCH AND EVALUATION

**Program Goal:** To implement an evaluation plan, cooperatively designed by Alivio Medical Center and the University of Illinois that will provide new knowledge of Hispanic health care needs.

Hispanics are America's fastest growing ethnic population. Yet there are few initiatives addressing the Hispanic community's health care needs. Research conducted by Hispanics would be particularly useful—as it is far less likely to incorporate inaccurate cultural assumptions.

Alivio Medical Center is therefore documenting and evaluating all of its patient care services. Beyond verifying the fulfillment of Alivio's mission, this documentation promises to provide new knowledge in the area of health care for Hispanics. To make the best use of this research material, Alivio has linked up with the University of Illinois in the implementation of an ongoing research and evaluation program.

Alivio utilizes the U.S. Department of Health quality assurance protocols to evaluate the quality of its work. Continuity of health care over a period of years is needed to reach appropriate conclusions. At the end of an initial five-year period, Alivio Medical Center and the University of Illinois will document conclusions based upon the material gathered and evaluated.

#### ILLINOIS HISPANIC HUMAN SERVICES ASSOCIATION

This is the testimony of Joseph M. Martens, Coordinator of the Illinois Hispanic Human Services Association, a fourteen-year-old organization that represents community-based human service agencies and providers in promoting the advancement of human services for Hispanics through advocacy, networking, policy analysis, information, research, and resource development. We are pleased to provide testimony for the United States Senate Democratic Hispanic Task Force here at this hearing on May 4, 1992, in Chicago chaired by you, Senator Simon. We want to first thank you again for

your efforts and support last August in obtaining federal funds to provide funding for a citywide Chicago Hispanic Health Coalition, a project coordinating the efforts of 38 Hispanic and other agencies in health promotion.

The Illinois Hispanic Human Services Association calls upon the U.S. Immigration and Naturalization Service, under the provisions of the Immigration and Reform Control Act of 1986, to renew for next fiscal year its funding of the SLIAG health program to Chicago at the present level of \$1.5 million. During the first year of funding, the Chicago Department of Health established a new clinic in the Pilsen-Little Village area, the largest Mexican community in the midwest and a port of entry for those coming to Chicago. The Chicago Department of Health also began providing funding to thirteen Hispanic community-based agencies (and to Chinese and Polish community agencies also) to teach eligible legalized aliens about the local health system; assisting mothers and their families in the basics of preventive health practices, such as immunizations and screening for lead poisoning for the children, mammograms and pap smears for screening for breast cancer for the mothers; and education about HIV/AIDS, sexually transmitted diseases, and tuberculosis, all diseases greatly affecting the Hispanic community. This community-based program already is successful in its efforts. By September, fifteen bilingual/bicultural community workers will have gone door to door in the targeted communities and identified 1,500 families for a total of over 7,500 high-risk individuals, teaching them the basics of health care and accompanying them to neighborhood clinics for needed treatment and preventive services. These dedicated workers are providing vital health education and other human services to these immigrants who came to this country for a better life for themselves and their children. This program has already demonstrated its effectiveness in reaching out and helping our citizens-to-be. We call for federal funding of \$1.5 million to provide a second year for the SLIAG health program for Chicago, and ask that Senator Simon join in this effort by supporting this request for continued federal funding of the Chicago project at this \$1.5 million level.

#### INTRODUCTION

The Association Pro-derechos Obreros (APO) was founded in 1962 by Latino workers and other residents with the aid of Rev. Michael Cody from the Cardinal's committee and Rev. Pedro Rodriguez from St. Francis of Assisi Parish.

Our first priority is to defend and advance the rights of Latino workers in Chicago. We have organized campaigns against job discrimination and unemployment as the main obstacles to economic advancement for Latinos. Therefore, we struggle for unity between the community and the organized labor to bring about fair employment practices by employers.

Throughout its 22 year existence, APO has made many contributions to the advancement of the Latino community in Chicago.

APO was born out of the struggles of workers at the National Video plant. In the next seventeen years, many of APO's greatest successes have come from struggles against the discriminatory policies of employers, both private and public. In recognition of this work APO was asked—and agreed—to host the Founding Conference of the National Congress of Unemployed Organizations in July 1983.

## HISTORY

In 1961 the Latino workers at National Video factory grew tired of their low pay, poor working conditions, and the indifference shown by the officials of their union toward their complaints and grievances. They decided to launch an independent struggle for their rights.

Since that first battle, APO has continued the struggle to better the living conditions of Latinos and has participated in efforts to defend the rights of all workers whenever those rights have been violated.

In addition to winning many struggles for hiring Latino workers by employers in the Latino community, APO led and participated in other campaigns that opened the door of opportunity for Latinos in many other fields of employment.

CTA: In 1972 our research showed that of a total workforce of 12,616 workers, the Chicago Transit Authority (CTA) employed only 246 Latino workers. (Fewer than 2 percent of the workforce while the Latino population of Chicago was then at over 13%). Together with other community organizations, APO organized a campaign against these discriminatory practices. Eventually, entered into negotiations that resulted in the fact that today 15 percent of the CTA workforce is of Latino origin.

St. Luke's Hospital: In February 1976, St. Luke's Hospital terminated a laboratory technician who was a member of APO. She asked for help, charging the hospital with discrimination—speaking. In the process of verifying her claim, APO found that, although the hospital was located in a community where 14 percent of the population was Spanish-speaking, there was only a token number of Latinos on the payroll. We, together with other community groups and some predominantly Latino parishes, began a campaign demanding that the hospital hire more Latinos. Many demonstrations were organized. Eventually some labor lawyers helped initiate a class action suit against St. Luke's Hospital. At this moment, employment of Latinos in the hospital has increased significantly.

A&P: In 1977 after receiving numerous complaints from Latinos, APO discovered that less than 4 percent of the A&P workforce was Latino. APO and other Pilsen community organizations campaigned to demand more jobs for Latinos in the Chicago area A&P stores. After a protracted struggle A&P reached an agreement with a coalition of Pilsen community organizations, increasing the number of Latinos at A&P to more than 15 percent. A&P further agreed to include Latinos in their Managerial Training Program.

Greyhound: In 1980, APO began campaign against the Greyhound Busline Corporation's long history of employment discrimination against Latinos, especially against Latinos wanting to become bus drivers. (Our research showed there was only one Latino among the 300 Greyhound drivers in Chicago.)

When APO first approached Greyhound with our demand that they hire Latino bus drivers, Greyhound denied any discrimination, claiming, instead, that few Latinos were interested in working for Greyhound. APO replied to this claim by presenting Greyhound with a large number of driver applicants from Latinos as well as applicants for other job categories.

In its struggle against Greyhound, APO gained the support of civil rights agencies such as the EEOC and national organizations such as the League of United Latin American Citizens (LULAC) and the Mexican

American Legal Defense \* \* \*. In November 1980, Greyhound agreed to come to the Latino community to review applicants for bus operators and assured APO that 50% of its bus driver trainees for 1981 would be Latinos and promised a similar percentage in subsequent classes, agreeing further, that this arrangement would be in effect until Latinos represented 20 percent of Greyhound drivers.

Streets and Sanitation: As a result of the activities of a city-wide Latino Coalition (of which APO was a member), a number of jobs on the Streets and Sanitation Department of Chicago were allocated for Latinos.

Thus, when the Department of Streets and Sanitation contacted community organizations in 1980 to announce that they had temporary openings for Latin workers, APO and other organizations, established counseling services to assist workers in making the transition to these new job opportunities.

Jewel: When Jewel began constructing a store in the Pilsen area in 1980, APO decided the time had come to challenge Jewel's discriminatory hiring policies against Latinos. APO was able to organize a coalition with three other local organizations that was able to negotiate an agreement with Jewel on the hiring of Latinos at the new store.

At first, Jewel would only promise the coalition that 1/4 of the new jobs would be given to Latinos. But later, following several public meetings and after APO mobilized more than 300 young Latino applicants, Jewel agreed that 145 of the 189 new employees would be Latino, bringing the store's total Hispanic workforce to approximately 50 percent of the total.

Thus after 6 months of negotiations and struggle, APO had again succeeded in securing jobs for a significant number of Latinos. By its own example and through the building of coalitions, APO has been able to provide effective and much needed leadership in uniting different forces in the community to more effectively fight for affirmative action.

People's Gas: In May of 1981 the campaign against People's Gas began, and by the end of the year 25 Latinos were hired in what the company called a sign of good faith.

These are only some of the campaigns that APO has organized in its struggle for more jobs for Latino workers. Others, to list a few, are in the construction trades and Post Office.

APO achieved all of these, relying solely on volunteer work by its members until 1980 when an organizer was hired with funds provided by the Chicago Campaign for Human Development.

## ORGANIZATIONAL STRUCTURE

In organizational structure, APO's base is its membership, whose activities are directed and coordinated by a staff working in conjunction with a Board of Directors. APO is a volunteer community organization, hence, its members all subscribe to the ideals and goals of the organization.

The other component of the Organizational structure, is the Board of Directors. The Board members are elected every two years for their positions by vote of the membership at the annual meetings of the APO General Assembly. The Board meets every week to discuss the issues, problems and activities of the organization.

The third component of the structure is the Staff. Individually and collectively, the Staff is responsible for maintaining the office in operating order, attending meetings on different issues, participating in community forms and other functions, doing the necessary research for campaigns, raising

funds for the organization, informing the members of developments pertaining to APO, doing follow-ups on past campaigns, and implementing the decisions made by the members at the General Assembly.

Since 1982 the Association has responded to many requests for solidarity with workers fighting to save their jobs and to protect their union contracts. And because of our experience and reputation in the community, APO has been asked to help unemployed workers throughout the city to organize in order to find solutions to their basic needs and problems.

## PROJECT OBJECTIVE

Association Pro-Derechos Obreros/Association for Workers' Rights (APO) tries to contribute to the economic development and urban revitalization of the Pilsen community through the rehabilitation of the Smyrna Temple.

It is envisioned to make the building into a viable social and cultural center, that will increase the touristic attractions that the community already has.

At the present, APO is in the process of spinning-off a development corporation which would undertake the rehabilitation, management and operation of the building. It is expected that the procedures will be completed by December of 1984.

Statement: Association Pro-Derechos Obreros will spin-off a development corporation to undertake the rehabilitation and management of the Smyrna Temple. It is planned that all the incorporation procedures will be completed by the end of the present fiscal year.

The rehabilitation of the building will have a multiple impact on several of the most severe problems this community is facing right now: a) unemployment and b) the low educational attainment, besides of having other effects as described below:

## JOBS

(a) During the Rehab process, 150 construction jobs (skilled and semi-skilled) will be created.

(b) Once the rehab process is completed, there will be a need for 15 full time employees, to form the new corporation's regular staff. It is estimated that other 15 people would be hired on a part-time basis.

## REVITALIZATION OF THE PILSEN COMMERCIAL STRIP

Preliminary studies on the rental possibilities of Smyrna Temple show that there would be a significant demand for renting space at this location. Private schools, social services agencies, artists, and professionals were interviewed in the survey. The consensus is that they foresee business conveniences by moving into the building. Practically, a 90% occupancy is assured if the building is renovated. This situation would enhance the commercial opportunities located around the area.

Pilsen is already a touristic attraction because of its murals, architectural values, and its good restaurants. The building, with its cultural events and constant art exhibits, would increase the number of tourists. This also would capture more money poured into the area.

## EDUCATION

As shown in the 1980 census data, this community has one of the lowest levels of educational attainment in the city. Part of the two multi-purpose halls of the building can be used to host training programs which would further the education and marketable skill of the residents.

## CULTURE

At the present time, there is no place or center in the city of Chicago, where Latino artists can exhibit their work periodically and a systematic way. The Latino population has no place where they can appreciate multiple representation and expressions of their rich cultural heritage. The building would have enough space to hold several exhibits simultaneously, in addition to housing other social and cultural activities.♦

## WASTED HEALTH CARE DOLLARS

♦ Mr. WELLSTONE. Mr. President, the current issue of Consumer Reports contains a very informative and timely article entitled "Wasted Health Care Dollars." In view of our continuing consideration of legislative proposals for health care reform, and as a part of our continuing education on this subject, I ask that this article be included in the RECORD.

The article follows:

[From Consumer Reports, July 1992]

## WASTED HEALTH CARE DOLLARS

This report examines the forces behind the current crisis in health-care costs. The next two reports in this special series will look at the possible solutions.

One approach to cost control, pioneered by health maintenance organizations, is to "manage" medical care in detail. The management can include such practices as restricting patients to a single primary-care doctor who must approve all specialist referrals; penalizing doctors who order too many tests or procedures; and preapproving elective hospitalizations. In our next report, we'll rate HMOs and examine how well managed care actually contains costs.

Another approach is to set overall spending limits and stick to them, while otherwise leaving doctors and hospitals to practice as they see fit. That's what other industrialized countries, including Canada, do in various ways. Part three of our health-care series, scheduled for the September issue, will take a close look at the Canadian system, among others, and will analyze the criticisms that have been leveled against it by U.S. health-care providers and insurers.

Finally, we'll outline the health-care reform proposal that Consumers Union favors as providing the best combination of universal access, quality care, and cost containment.

Of the \$817-billion that we will spend this year on health care, we will throw away at least \$200-billion on overpriced, useless, even harmful treatments, and on a bloated bureaucracy. We are no healthier than the citizens of comparable developed countries that spend half what we do and provide health care for everybody. In fact, by important measures such as life expectancy and infant mortality, we are far down the list.

If the wasted money could be redirected, the U.S. could include those now shut out of the system—without increasing the total outlay for health care and without restricting the availability of \$100,000 bone-marrow transplants or \$40,000 heart operations to those relatively few who need them.

I can't imagine a system that's more dysfunctional than the one we have now—more expensive, not doing the job, with more waste," says Dr. Philip Caper, an internist and medical policy analyst at Dartmouth

Medical School. Although the total amount of waste in our health-care system is difficult to estimate, researchers have now examined many of the system's components, with consistent results. For a wide range of clinical procedures, on average, roughly 20 percent of the money we now spend could be saved with no loss in the quality of care. By restructuring the system, we could also save almost half of the huge amount we now spend on administrative costs (see "The \$200-Billion Bottom Line," page 436.) A more efficient system would also make it much easier to detect health-care fraud—a problem that the U.S. General Accounting Office has estimated to cost tens of billions of dollars a year.

While these facts are well known to students of the health-care system, they've been remarkably absent from the debate that's developing over health care in this election year. Politicians and lobbyists for health-care providers have presented the public with a daunting choice: If we want to provide every American with access to health care, they say, we'll either have to pay much more into the system or accept lower-quality medical services.

However, such scenarios assume that the current price structure for medical care, and the current patterns of treatment and hospitalization, will remain fixed. They needn't, and they shouldn't. Our health-care system is so inherently wasteful and inefficient that a complete overhaul is an option worth contemplating. It may, in fact, be the only option that makes sense.

The waste in the system comes from many sources. We receive a great deal of care that we don't need at all. The care we do need is delivered inefficiently. And the futile effort to control a runaway system has created a huge bureaucracy that by itself sucks up more than a hundred billion dollars a year.

## 30 YEARS OF INCREASES

By now, it's hardly news that health costs have spiraled out of control. Health care now consumes about 16 percent of state and local tax revenues. In the years since 1986, private businesses have spent about as much on health care as they earned in after-tax profits. For small businesses, insurance has become unaffordable; three of four concerns employing 10 or fewer people simply don't provide health benefits. At any given time, roughly 35 million Americans—most of them employees of small businesses or their dependents—have no health coverage at all.

Over the last 10 years, Government and private business, appalled to health care absorbing an ever-growing portion of their revenues, have tried to get a grip on its costs in various ways. But costs have risen as fast as ever. "As quickly as payers patch the system up, the providers find the spaces between the patches," says Maryann O'Sullivan, director of Health Access, a California consumer coalition.

Our health-care system doesn't just allow prices to rise—it practically demands that they do. Although some recent reforms have had a modest effect, the system has traditionally allowed doctors to order whatever procedures they want, and has paid both doctors and hospitals whatever they think they should get.

In both respects, the American system stands alone in the developed world. Though the particulars of their systems differ, Canada, Japan, and the Western European countries all have adopted universal, standard payment schedules set by direct negotiation with doctors and hospitals. In addition, most have set an overall ceiling on national medi-

cal expenditures. As a result, not a single developed country other than the U.S. devotes more than 10 percent of its gross national product to health care. The U.S. broke that barrier in 1985; this year, the nation will spend 14 percent of the GNP on health.

It wasn't always so. Back in 1960, the U.S. spent a modest 5.3 percent of its GNP on health care, about the same as other industrialized nations like Canada or Germany did at the time. What changed everything was the advent in 1965 of Medicare, which ultimately had implications far beyond the over-65 population it served.

Before Medicare, private insurance companies covered the population less extensively than they do today. All the insurers left treatment completely to the doctor's discretion and provided reimbursement for any test or treatment a physician ordered. But because a large percentage of people had only hospital coverage, and no insurance to cover doctors' bills, physicians tended to keep fees at affordable levels.

In 1965, Congress enacted Medicare, the vast, Government-financed program of social health insurance for the elderly, along with the less extensive Medicaid program, in which the Federal Government shares costs with the states. In order to overcome the powerful, sustained opposition of doctors and hospitals to what they called "socialized medicine," Congress made a fateful—and, in retrospect, very expensive—decision. Under Medicare, all doctors were paid on the basis of their "usual and customary" fees for a given service (the system that Blue Shield was already using).

This approach, which allowed each individual physician to name his or her own price, soon became universal throughout the insurance industry. So as more and more employers began offering major-medical plans that covered doctors' bills, they bought into a system with no effective constraints on costs. Predictably, doctors' fees began a rapid upward climb.

Hospitals profited as well. Under Blue Cross, which had dominated hospital insurance, hospitals were paid only a daily room charge, plus additional fees for various services, tests, and supplies. Under Medicare, however, the hospitals were not only able to collect their actual charges; for the first time, they were allowed to build the cost of capital improvements into their rates. Hospitals, which had been receiving Federal subsidies for growth since the late 1940s now got another incentive to expand.

After Medicare, U.S. health-care expenditures turned more sharply upward. For a time—perhaps a decade or more—no one seemed to notice or care. But over the past 10 years or so, as costs have become truly staggering, the system has begun to change. Medicare has set limits on physicians' fees for several years, and private insurance companies have begun reviewing many procedures doctors perform before they will pay for them. Medicaid budgets have been steadily cut back, to the point where many states now pay doctors and hospitals less than the cost of delivering care.

Experience has shown, however, that attempts to manage the health-care system a piece at a time are likely to fail. Physicians and hospitals can charge their privately insured patients more to make up for Medicare's fee restrictions. And doctors and patients alike have resisted efforts by insurance companies to determine what is appropriate and necessary treatment, having grown used to a system that has provided as much medical care—to the insured population, that is—as anybody wants.

## NO SENSE OF LIMITS

Having operated for years under a system that sets virtually no limit on what can be done or what can be charged, both doctors and patients have been seduced by the idea that, when it comes to treating sickness, it's necessary to do "everything."

"We want more. We want more time with the doctor. We want more procedures. We want more pills," says Randall Bovbjerg, a health-policy analyst at the Urban Institute in Washington, D.C. "We can't sit and watch the course of a cold; we go and buy tons of things we aren't even certain will make it better."

"Imagine if we sold auto-purchase insurance and said, go and buy whatever car you want and we'll pay 80 percent of it," says James C. Robinson, a health-care economist at the University of California, Berkeley. Under those conditions, a lot of people would go buy a Mercedes.

Much of the time, physicians will order more tests and procedures out of a genuine desire to do whatever they can for their patients. "Doctors look at one patient at a time and think, 'If I've done one thing, what else can I try?'" says Ann Lennarson Greer, a medical sociologist at the University of Wisconsin. "They're not inclined to think about overall costs." Several studies, in fact, have asked doctors if they knew the costs of hospital tests and services they routinely ordered—and found many had only a vague idea at best.

But while extra tests and treatments drive up the cost of medical care, they may do so with no real benefit to the patient. New diagnostic technologies, in particular, are especially likely to be overused; unlike surgery or invasive procedures, they "don't require the clinician to take any real risk," Greer says. Thus, the use of computerized tomography (CT) and magnetic resonance imaging (MRI) scans, two expensive, relatively new imaging technologies, has grown explosively in recent years. Yet no one has clearly defined when they are useful and when they are a waste of time and money.

"The original CT scanner provide to be an absolute revolution in the treatment of patients with head injury," says Dr. Mark Chassin, a physician who is senior vice president of Value Health Science, a private firm that analyzes the use of health-care services. "We produced hundreds of these things and they got out in the community. They were used for people with head trauma—terrific—but they also were used for people with headaches, dizziness, and all sorts of other vague symptoms." Diagnostic imaging, says Dr. Chassin, is a prime example of how "we continue to invest in technology in an absolutely irrational way."

## THE LAW OF INDUCED DEMAND

Medical care is totally unlike services delivered by other professionals. When clients hire an architect or a lawyer, they generally know what they need and roughly how much it's going to cost. But in medicine, physicians make virtually all the decisions that determine the cost of care. The patient, ill and uninformed, is in no position to do comparison shopping—nor motivated to, if insurance is paying the bill.

And the more doctors do, the more they get paid—a situation that's tailor-made for cost escalation. "It's the easiest thing in the world to increase the volume [of things a doctor does]," says Dr. Philip Caper, the Dartmouth internist. "Just do a few more tests. There's always a rationale. Schedule three doctor visits instead of two, and reduce the time you spend on each visit."

The creation of medical "need" by those who then profit from it is called induced demand, and it's rampant. Most obvious is the problem of "self-referral," in which physicians will refer patients for treatment at facilities in which they have a financial interest. In Florida, where at least 40 percent of physicians have such investments, a study by professors at Florida State University found that physician-owned laboratories performed twice as many tests per patient as independent labs. Similarly, in a study of private health insurance claims records for more than 65,000 patients, University of Arizona researchers found that doctors who had diagnostic imaging equipment in their offices ordered four times more imaging exams than doctors who referred patients elsewhere for the tests.

Occasionally, self-referral can turn into actual fraud. A recent report by the General Accounting Office—which estimated that fraud may account for as much as 10 percent of all health-care costs—cited several examples in which self-referral had been abused. In one California case, the owners of mobile medical laboratories allegedly gave kickbacks for referrals to physicians who sometimes use phony diagnoses. The case, which is still being investigated, involves an estimated \$1 billion in fraudulent billings.

In other cases, however, physicians may increase the demand for their services without even being aware of it. When it comes to American medical care, supply seems to create demand almost automatically. Actuarial studies have shown that in areas with the greatest supply of physicians, people simply go to the doctor more often.

If more physicians create more demand for medical care, we can look forward to a flood of it in the near future. The per capita supply of practicing physicians is expected to increase 22 percent between now and the year 2000.

The phenomenon of induced demand applies to hospitals, too. Dr. John Wennberg, a physician who is professor of family and community medicine at Dartmouth Medical School, was curious as to why people in Boston went to the hospital more frequently than people in New Haven. When he studied the problem, he found a simple answer. Boston has more hospital beds to be filled—one-third more than New Haven on a per capita basis.

Surprisingly, Dr. Wennberg found that physicians in Boston and New Haven were completely unaware of the discrepancy. When he asked doctors in New Haven whether they felt their area was short of hospital beds, they said they didn't. In fact, at any given time, about 85 percent of hospital beds in New Haven were filled—precisely the same percentage as in Boston.

The likely explanation, according to Dr. Wennberg, is that physicians almost unconsciously will refer their patients to the hospital if space is available, stopping only when the local hospitals' capacity is nearly used up. If many beds are empty, doctors will be more likely to refer patients with borderline conditions, such as gastroenteritis or acute low back pain, for which hospitalization is optional but not imperative. By doing so, of course, they drive up the cost of care.

## AS UNNECESSARY BURDEN

With so many incentives to overtreat patients, it seems inevitable that a sizable fraction of American medical care must be simply unnecessary, if not downright harmful. But how large a fraction? In the late 1970s and early 1980s, researchers at the Rand Corp., a think tank in Santa Monica, Calif., began to find out.

Using an elaborate process for developing a consensus among nationally recognized medical experts, the Rand team came up with an agreed-upon list of "indications" for various procedures. They then checked the actual medical records of thousands of patients who had received the procedures, to see whether they had been treated appropriately. The definition of "appropriate" care was starkly simple: Based on the patient's condition and expert opinion, the likely benefit of the procedure must have been greater than the risk involved in doing it.

Even with their elaborate analysis, the Rand researchers were not able to tell in every case whether a given procedure had been appropriate or not. They divided their cases into three groups: Those where the procedure had been "appropriate," those where it was "inappropriate," and those where its use was "equivocal," the largest group. Despite this degree of uncertainty, however, Rand found clear evidence of inappropriate overtreatment. Among the results:

Of 1,300 elderly patients who had an operation to remove atherosclerotic plaque from the carotid artery, nearly one-third—32 percent—didn't need it.

Of 386 heart bypass operations, 14 percent were done unnecessarily.

Of 1,677 patients who had coronary angiography—an X-ray examination of blood flow in the arteries nourishing the heart—17 percent didn't need it.

So striking were the results that Rand's methods for determining appropriateness have since been put to commercial use. Value Health Sciences, which now employs some of the original Rand researchers, has extended the methodology to several dozen high-volume medical procedures. A number of major insurance companies and health maintenance organizations now use this program to flag unnecessary procedures.

Value Health's results confirm the original Rand findings. Its review system has found very high rates of unnecessary usage for certain procedures: hysterectomy, 27 percent unnecessary; surgery for an uncomfortable wrist ailment called carpal tunnel syndrome, 17 percent; tonsillectomy, 16 percent; laminectomy, a type of back surgery, 14 percent. Similar results have come out of studies done by other investigators, who have examined procedures from preoperative laboratory screening (60 percent unnecessary) to caesarean section (50 percent unnecessary) to upper gastrointestinal X-ray studies (30 percent unnecessary).

## THE UNCERTAINTY PRINCIPLE

Physicians can inadvertently contribute to the cost of unnecessary medicine even when they have only their patients' best interest in mind. Lay people tend to think of medical care as a straightforward proposition: For Disease A, prescribe Treatment B. That's not the way it is in real life. To practice medicine is to be afloat in a "sea of uncertainty," says Dartmouth's John Wennberg.

Every symptom can be investigated by a huge array of tests; for many diseases, physicians have a wide range of treatment choices. And doctors often base their choices as much on folklore and intuition as on science.

"Doctors really hate risks," says Ann Lennarson Greer, the Wisconsin sociologist. "They have certain procedures that seem to work for them, and they'd prefer to keep doing them, especially in areas where there's a lot of uncertainty."

This innate conservatism is reinforced by the isolation in which most doctors practice, says Greer, who has spent more than a dec-

ade studying why doctors and hospitals behave as they do. A physician can spend his or her entire career within a single referral network, based at a single hospital. These local colleagues, Greer has found, are the principal influence on a physician's decisions about how to diagnose and treat diseases or whether or not to adopt new technology. But they may not be the most reliable source.

A phenomenon called "small area variations," which was discovered by Dr. Wennberg early in his career, is a striking demonstration of just how unscientific medical practice really is. In the late 1960s, he had moved to Vermont to work as a health administrator and educator. Once there, he soon stumbled across a curious geographic pattern to a common operation, tonsillectomy.

"In Stowe, the probability of having a tonsillectomy by age 15 was about 70 percent," Dr. Wennberg recalls. "If you lived in Waterbury, over the hill from Stowe, it was about 10 percent." Indeed, there turned out to be a 13-fold difference in the local rates of tonsillectomy between the most and least surgery-happy Vermont communities he studied.

Medical uncertainty and the isolation of doctors largely explain those bizarre disparities. Dr. Wennberg discovered that doctors in Stowe, who talked mostly to each other, believed that if you didn't take tonsils out early, they'd become chronically infected and cause no end of trouble. Doctors in Waterbury, who didn't talk to the doctors in Stowe, held the opposite (and, as it turned out, correct) viewpoint: If left alone, most kids with frequent sore throats would eventually outgrow them.

This phenomenon turned out to be true of a lot more things than tonsillectomies. In Portland, Me., Dr. Wennberg found, 50 percent of men had prostate surgery by the age of 85; in Bangor, just 10 percent did. The rate of heart surgery was twice as high in Des Moines as it was in nearby Iowa City.

Subsequent studies by a number of researchers, working throughout the country, have shown that the use of all kinds of medical procedures varies dramatically from region to region. In fact, Dr. Wennberg has found the only procedures that don't show such variations are those few for which there is basically only one accepted treatment, such as hospitalization for heart attack or stroke.

#### INEFFICIENCY EXPERTS

The waste in the system goes far beyond the provision of unnecessary care. Even when medical treatments are necessary, they're frequently done with no regard for efficiency.

Milliman and Robertson, a Seattle-based consulting firm, advises hospitals and other health-care organizations on ways to cut costs without compromising the quality of care. The firm's actuaries and physicians have examined thousands of individual medical records to develop guidelines on how long patients should stay in the hospital for such common conditions as childbirth or appendectomy—provided they're in generally good health and have no complications. Applying those guidelines to actual current records from a dozen urban areas across the country, the firm's actuaries concluded that 53 percent of all hospital days weren't necessary, including all the days spent in the hospital by the 24 percent of patients who didn't need to be there in the first place.

As a private, commercial firm, Milliman and Robertson is in business to identify overuse for its clients, and might have a bias in favor of finding what it's paid to find. How-

ever, other studies by academic researchers have also found high rates of inappropriate hospitalization. A recent Rand Corp. review of published studies, most of which used data from the early and mid-1980s, estimated that 15 to 30 percent of hospital use was unnecessary.

The current rates of unnecessary hospitalization are difficult to estimate, since the system is in flux. The overall number of hospital days per thousand Americans—a standard measure of hospital utilization—has dropped over the last decade, in response to efforts by Medicare, health maintenance organizations, and private insurers to contain costs. But there are still large regional variations in hospital use, suggesting that waste still exists in the system.

Past experience shows it's possible to lower the number of days people spend in the hospital with no ill effects. In 1984, Medicare created financial incentives for hospitals to discharge patients as soon as possible, and not to admit them at all unless strictly necessary. The incentives worked; in two years, the average number of in-patient days per Medicare recipient fell 22 percent.

That sharp decline apparently had no real impact on the health of the patients involved, according to several statistics. The rate at which discharged patients need to be readmitted to the hospital shortly after leaving—an important index of low-quality care—has actually gone down for Medicare patients since 1984. Some care that used to be provided in the hospital can now be done at home, at much lower cost.

#### A MEDICAL ARMS RACE

Despite the efforts over the past decade to keep the costs of hospitalization down—by limiting hospital admissions, length of stay, and in-patient costs—our national hospital bill continues to rise. In 1990, hospitals soaked up 38 percent of national health expenditures (twice as much as doctors) and collectively earned a profit of \$7 billion. Hospital administrators have proven how nimble health-care providers can be in getting around virtually any effort to rein them in.

For many years, hospitals expanded at a rate well beyond the national need, with the Government's help. During the 1950s and into the 1960s, the Federal Government provided subsidies to build new hospitals, and a decade later, Medicare allowed hospitals to pay for their capital improvements by charging higher fees. The result was a spate of hospital-building that had little relationship to clear community needs. New facilities and new wings were built, beds needed to be filled, and the law of induced demand kept them occupied—imposing a high cost on the health-care system and providing a high profit for the hospitals themselves.

When Medicare started to crack down on costs in 1984—paying hospitals a fixed fee to take care of each patient, based on his or her diagnosis—the hospitals reacted swiftly. Fewer Medicare patients were admitted, and those that were admitted stayed in the hospital for a shorter time. But the hospitals compensated by boosting their out-patient, psychiatric, and rehabilitation services, for which Medicare had set no cost limits. Although charges for hospitalization dropped, the costs for those other services ate up those savings, and more.

Hospitals also stepped up their efforts to attract privately insured patients to make up for the money they were losing on Medicare and Medicaid. Having built the capacity for many more beds than the nation needs, hospitals now tried to fill them—and to fill them with patients who had generous insur-

ance policies and needed lots of medical services. "Hospitals make money by delivering services," explains William Erwin, who is a spokesman for the American Hospital Association. "If you don't need much done to you, the hospital isn't going to make money on you."

Attracting patients to a hospital isn't the same as attracting customers to a new restaurant or hardware store. Consumers decide on their own when and where they want to eat out or buy some drill bits. When they're sick, their doctors decide when and where to hospitalize them. So hospitals must market on two fronts: They must appeal directly to privately insured patients, and they must keep their admitting doctors happy.

To induce physicians to admit patients, hospitals resort to everything from first-year guaranteed incomes to subsidies for initial practice expenses. The effort pays off. In 1990, according to an annual survey by Jackson and Coker, an Atlanta physician-recruiting firm, the average doctor generated \$513,000 in in-patient hospital revenue.

Another way to keep doctors happy is to provide them with state-of-the-art medical equipment. As a bonus, hospitals can then tout their up-to-date technology directly to consumers. Uwe Reinhardt, a Princeton University health economist, likes to paint the following scenario in his lectures:

"Imagine that you're a young couple in Chicago, stuck in a traffic jam in the Loop, and you see a billboard that says: 'Mount Sinai: The Cheapest Place in Chicago, Have Your Baby Here.' then you go on and you see another billboard that says, 'Holy Mercy: The Only Place with a Glandular Schlumpulator, Have Your Baby Here.' Where are you going to go?"

Some regulatory efforts were made in the 1960s and 1970s to restrain hospitals from acquiring excessive amounts of expensive technology, with mixed success. In any case, Federal support for the effort was discontinued during the Reagan years. The rationale was that "unleashing competition" among hospitals would allow the free market to operate and help keep the cost of medicine down.

The irony, though, is that competition actually drives costs up where hospitals are concerned. The hospitals gain no competitive advantage by controlling costs, since their customers—doctors and patients—don't pay for their services anyway. Instead, hospitals compete only on the basis of perceived quality, and end up vying to see which one can secure and promote the newest well-reimbursed technology, whether the technology is needed or not. Several hospitals in an area may have their own neonatal intensive care units, MRI machines, or cardiac care centers, when only one would serve the population equally well (see "The Cardiac Money Machine," page 446). This year, despite the recession, hospitals plan to increase spending on new equipment by 15 percent, according to a survey by Shearson Lehman Brothers.

To attract the well-insured population, hospitals also provide amenities that have nothing to do with actual health care but add to the bill, including cable TV, private rooms and baths, gourmet menus, and the like. Baylor University Medical Center in Houston spent \$18 million on the Tom Landry Sports Medicine and Research Center, complete with 7,000-square-foot dressing rooms lined with oak lockers, and a 10-lane pool with underwater computerized video cameras used to analyze its patrons' swimming strokes.

Hospitals have also become more and more consciously concerned with projecting an

upscale image that they hope will bring in an affluent clientele. Entries in a recent contest held by the Academy of Health Services Marketing, an organization of hospital marketing executives, reveal the new focus. For instance, the Southern Regional Medical Center in suburban Atlanta got Rosalynn Carter to endorse its maternity service after her grandchild was born there—as part of a successful campaign “to increase gross revenue . . . by marketing to a target market of insured, higher-income women, ages 25-49,” according to the contest submission.

The trend is troubling, because there's clear evidence that the total cost of health care rises in areas where many hospitals begin to compete for the same pool of well-insured patients. Health economists James C. Robinson and Harold S. Luft of the University of California, Berkeley, examined data from 5,732 hospitals nationwide, and found that costs per admission were 26 percent higher in hospitals that had more than nine competitors within a 15-mile radius. In a smaller-scale study by 747 hospitals, they found that those in competitive areas allowed patients to stay in the hospital longer after surgery—something that tends to please both patients and doctors, but with high cost and no clear medical benefit.

#### MORE SPECIALISTS, HIGH COSTS

Just as American hospitals lead the world in high-priced technology, American physicians are heavy purveyors of expensive treatments and diagnostic tests—and reap great personal rewards for using them. Doctors in the U.S. earn much higher incomes relative to their fellow citizens than do doctors in other countries. According to figures from the Organization for Economic Cooperation and Development, in 1987 U.S. doctors earned 5.4 times more than the average worker. In Germany, the multiplier was 4.2; in Canada, 3.7; and in France, Japan, and the United Kingdom, 2.4.

Historically, the highest fees have gone to doctors who perform concrete procedures, such as surgery, endoscopy, or diagnostic imaging. So-called evaluation and management services—in which doctors may examine and question the patient and prescribe a treatment, but don't actually do a specific procedure—haven't paid nearly as well.

In 1990, for instance, internists charged a median of \$110 for a comprehensive office visit for a patient they hadn't seen before, according to a survey by Medical Economics magazine. Such a visit involves taking a medical history, doing a physical examination, and talking with the patient about his or her current condition. It can take up 45 minutes of the doctor's time. By contrast, the same survey found internists charged a median fee of \$126 for spending 10 minutes to examine the bowel with a flexible fiberoptic device called a sigmoidoscope.

While individual physicians have great leeway in deciding what they will charge for a given procedure, insurance companies have established computerized databanks that help them determine whether or not the fee is “usual and customary” for that procedure. By this standard, a doctor whose fees are at the very top of the local scale may not receive full reimbursement. But there's no track record of cost for new procedures. With the help of medical specialty societies and the AMA, physicians have secured very high rates of reimbursement for new treatments.

“When something is in development, it's new, it's experimental, only a few physicians use it, there's some risk involved, and the price gets set accordingly,” explains Joel Cantor, a program officer at the Robert

Wood Johnson Foundation. “Then the technology diffuses and gets easier to use. More physicians get good at it. But the price never goes down.”

The classic example is the extraction of cataracts and implantation of artificial lenses in the eye. This undeniably useful technology was introduced in the early 1980s and became a standard procedure by the end of the decade. During that time, however, many ophthalmologists became wealthy by charging \$2000 or more for a cataract extraction that could be done in about an hour.

Primary-care physicians, such as general internists, family practitioners, and pediatricians, don't do procedures like that. Instead, they spend their days in office visits, which have long-established, and thus lower, “usual and customary” fee profiles.

As a result, their incomes are much lower than those of specialists. In 1990, the median income for general family practitioners was \$93,000, and for pediatricians, \$100,000, according to the American Medical Association's annual survey. Median income for surgeons and radiologists, on the other hand, was \$200,000. Senior specialist can earn much, much more. Cardiovascular surgeons in group practice averaged about \$500,000 in 1990, according to a study by the Medical Group Management Association.

Medical-school students, who must pick a residency program in their senior year, are painfully aware of these economic distinctions. In addition, they're trained in an academic environment that has long rewarded specialists with prestige and research grants. Young physicians, who leave medical school with a huge debt load, are increasingly turning to specialization. Overall, about one-third of the U.S. physicians are in primary care. But among 1987 medical school graduates who have now completed their internships and residencies, only one-fourth have gone into primary care, according to data from the Association of American Medical Colleges.

A fed-up Ohio family doctor, responding to a survey by his professional society, the American Academy of Family Physicians, summarized his feelings this way: “Why both with 60- to 70-hour work weeks, constant phone calls, all night emergency room visits, poor reimbursements, demanding patients, the need for instant exact decisions . . . concerning a million possible diseases, when you can ‘specialize’ in one organ, get paid \$500 for a 15-minute procedure, only need to know a dozen drugs and side effects, and work part time?”

Do we really need our luxurious quantities of cardiologists, dermatologists, neurosurgeons, and urologists? Other countries get along fine with about a 50-50 ratio between primary-care doctors and specialists. The evidence is that we could, too.

A team from the New England Medical Center recently looked at patients who got their usual care from primary-care physicians (internists or family doctors) or from specialists (cardiologists and endocrinologists). The groups were not identical; the specialists tended to have older patients with more medical problems. But even after that difference was factored in, the specialists ran up higher bills, on average, than the primary-care doctors. They put more patients in the hospital, prescribed more drugs, and performed more tests. Yet an analysis still in progress appears to show that the two groups of patients had similar health outcomes.

The medical profession itself acknowledges the imbalance. The principal professional

journal for internists, the *Annals of Internal Medicine*, said in a 1991 editorial: “Given the number of subspecialists already in practice, there are not enough highly specialized cases to go around. . . . We cannot continue to practice this way when cost containment is the dominant health policy issue of our times.”

This year, Medicare began an effort to even out the economic imbalance between primary care and specialty physicians. The new program, known as the Resource-Based Relative Value Scale (RBRVS), is essentially a standard, national fee schedule, adjusted for geographic variations in the cost of practice. It increases the reimbursement for evaluation and management services, and greatly reduces the reimbursement for procedures. Physicians, however, may find a way around this constraint, as they have around others. For one thing, doctors can always simply raise their fees for privately insured, non-Medicare patients—although some private insurance companies may eventually adopt a version of the RBRVS fee schedule.

Since the mid-1980s, doctors have also manipulated the reimbursement system by “unbundling” services—that is, charging for two or more separate procedures instead of one. For instance, instead of billing \$1,200 for a hysterectomy, a doctor can collect \$7,000 by billing separately for various components of the operation. Commercial services conduct seminars to teach doctors how to maximize reimbursement in this way. But unbundling can cross the line into outright, prosecutable fraud, according to the General Accounting Office's health-care fraud report.

#### SUPPLIER-SIDE ECONOMICS

Just as the providers of care have profited hugely over the years, so have those who supply the providers—the pharmaceutical companies and the makers of medical equipment and devices. They can charge top prices for their products, secure in the knowledge that the system will reimburse them. The pharmaceutical industry has been one of the nation's most profitable industrial sectors; it operates with an average profit margin of 15 percent and has given an average annual return to investors of 25 percent over the last decade.

Companies that latch on to new medical technologies can also earn huge profits. In spite of the current hand-wringing over health-care reform, health-care stocks as a group increased in value by fully 50 percent in 1991.

“A lot of people in health care are making a lot of money,” says Stephen Zuckerman, a senior research associate at the Urban Institute in Washington, D.C. “They're not unhappy with the current system.”

Curiously, the debate over health-care costs in the U.S. tends to assume that the cost of drugs and medical technology is immutably fixed. But international comparisons demonstrate that this needn't be so. In Japan, for example, the national fee schedule pays \$177 for a magnetic resonance imaging (MRI) exam, compared with an average charge of about \$1,000 in the U.S. Pharmaceutical prices, which vary widely from country to country, are also significantly higher in the U.S. than anywhere else.

#### NOTHING FOR SOMETHING

As costly as it is, our health-care system might be worth its price if it somehow ended up making us healthier than people in other countries. But it doesn't.

Of the 24 industrialized nations making up the Organization for Economic Cooperation and Development (OECD), the U.S. spends

more than twice as much on health per capita as the average. And it devotes a far greater percentage of its gross national product to health care than any other country. Yet the other OECD countries—with the exception of Turkey and Greece, by far the poorest of the group—all have roughly as many doctors and hospitals per capita as we do.

As for health status, of the 24 OECD countries, the U.S. ranks: 21st in infant mortality, 17th in male life expectancy, 16th in female expectancy.

Dr. Barbara Starfield of the Johns Hopkins School of Public Health compared the U.S. with nine industrialized European nations in three areas: the availability of high-quality primary care, public-health indicators such as infant mortality and life expectancy, and overall public satisfaction with the value of health care. In all three areas, the U.S. ranked at or near the bottom.

The problem, simply put, is that the system is geared to providing the services that can earn physicians and hospitals the most money—not the ones that will do the public the most good. The U.S. has four times as many \$1.5-million magnetic resonance imaging devices per capita as Germany does. But at the same time, the U.S. system short-changes the basic, low-tech care that has, over the years, proven effective at preventing disease.

The poor and uninsured are most likely to suffer from the imbalance. During the 1980s, while American hospitals were falling all over themselves to add costly, high-tech neonatal intensive-care units, the number of mothers unable to get basic prenatal care climbed, as did the incidence of premature births.

In most states, Medicaid now pays nowhere near the actual cost of delivering care; hospitals lose money on their Medicaid admissions. As a result, many doctors and some for-profit hospitals refuse even to accept Medicaid patients.

People with no insurance at all fare even worse. A group from the University of California, San Francisco, for example, looked at the hospital care given to sick newborn babies in the state's hospitals in 1987. Even though the uninsured babies were, on the average, the sickest group, they left the hospital sooner than insured babies and received fewer services while they were there. The Rand group has also shown that when California cut back on Medicaid coverage a decade ago, the health of people who lost their coverage declined dramatically.

"We've been sucked into believing that if we have a national health program, we're going to have rationing," says Dr. Philip Caper of Dartmouth. "The answer is, we have rationing already. Ask somebody who lost their health insurance, or can't get a bone-marrow transplant because they're on Medicaid. If that isn't rationing, what is?"

Hospitals that serve the poor and uninsured are suffering as well. The success of private hospitals in attracting well-insured patients has put an increasing burden on the public and not-for-profit hospitals still willing (or required) to accept all comers. A 1990 survey of 277 public and teaching hospitals found that 38 percent sometimes held patients overnight in the emergency room because no regular beds were available; 40 percent had turned away ambulances because of overcrowding.

Hospitals in California have even shut down their trauma centers as a way of barring the door against uninsured patients. "Hospitals find themselves jockeying for ge-

ography," says Bettina Kurowski, a vice president of St. Joseph Medical Center in Burbank, which closed its trauma center when its annual losses hit \$1.5-million and threatened the financial survival of the hospital as a whole. "If you can be promised service areas that include freeways, and therefore get trauma cases covered by auto insurance, you can break even. If you don't include freeways, mostly you get penetrating [gunshot and stab wound] trauma, and those patients by and large don't have insurance."

#### RED TAPE AND RED INK

Ultimately, our cumbersome, inequitable system of reimbursement raises the costs for all of us—insured and uninsured alike—and causes problems for physicians as well. "In order to preserve the mirage of a private system, we've created the most bureaucratic, regulated system of any in the world," says David Mechanic, director of the Institute on Health Care Policy at Rutgers University.

A key characteristic of the U.S. system is its obsession with making sure that patients get only what their insurance entitles them to, and nothing more. That means, for instance, that hospitals must keep meticulous track of everything used by a particular patient, down to individual gauze sponges or aspirin tablets—all adding to administrative costs. More important, the burden of dealing with multiple forms from a huge number of insurance companies requires a lot of clerical manpower.

Increasingly, too, doctors and hospitals have to answer to Government and private review panels that evaluate many aspects of the care they offer. Government reviewers work to ensure that Medicare and Medicaid patients are not being undertreated, while private insurers want to make sure that their patients are not being overtreated.

Hospitals in the U.S. spend fully 20 percent of their budgets, on average, on billing administration—compared to only 9 percent for Canadian hospitals. To run a health plan covering 25 million people, Canada employs fewer administrators than Massachusetts Blue Cross, which covers 2.7 million.

Our nation's more than 1200 private health-insurance companies add to the red tape by the necessary maintenance of their underwriting, marketing, and administrative staffs. This overhead consumed an average 14 cents out of every premium dollar in 1990, according to the Health Care Financing Administration.

Private physicians, too, have been forced to hire extra office help to cope with the ever-enlarging demands of third-party review, regulations, and paperwork. Drs. David Himmelstein and Steffie Woolhandler, internists at Harvard Medical School who are prominent critics of the U.S. health-care system, have calculated that the average office-based U.S. physician employs twice as many clerical and managerial workers as the average Canadian doctor. Dealing with the bureaucracy has become so intrusive that doctors have developed a name for it: the "hasle factor."

Dishonest physicians have also taken advantage of the system to bilk insurance companies. According to the General Accounting Office report: "This complex system itself becomes an impediment to detecting fraud and abuse \* \* \* a physician who bills for more office visits than can reasonably be performed in a day, for example, may not be detected if the billing is split among several payers."

Drs. Woolhandler and Himmelstein, who favor a Canadian-style system, have calculated that about 20 percent of U.S. health-

care spending goes for administrative costs: insurance overhead, hospital and nursing administration, and physicians' overhead and billing expenses. Not surprisingly, the private health-insurance industry says this estimate is too high. However, industry representatives decline to offer their own figure.

Universal coverage and uniform fee schedules enable other countries to avoid most of the administrative expense of the U.S. system. The single-payer Canadian system, where all health-care costs are ultimately paid by the Government, devotes about 10 percent of expenditures to administration. The General Accounting Office calculates that if the U.S. were to adopt a single-payer Canadian-style system, we would save about \$70-billion a year in insurance overhead and the administrative costs to doctors and hospitals.

#### ENOUGH FOR ALL

No matter what corner of the health-care system is examined—hospital costs, clinical procedures, administrative expenses—at least 20 percent seems to represent waste or inefficiency. If the system could be redesigned to get rid of this excess, it could, in effect, provide 20 percent more necessary service without costing any more than it does now.

Granted, devising a totally efficient system would be difficult, if not impossible, to accomplish. However, there is easily more than enough excess spending in our current system to take care of the roughly 14 percent of the population who are not currently under any public or private insurance plan.

In future issues of CONSUMER REPORTS, we'll examine the different options for health-care reform. But it's already clear that the ideal health care system for American consumers, whatever it turns out to be, will have to be radically different from the wasteful, patchwork system that governs our health care today.

To date, no one has come up with a comprehensive price tag for the cost of unnecessary medical care, overpriced procedures, and inefficient administration in the U.S. health-care system. After extensive review of the literature, however, we believe that \$200-billion is a conservative estimate of the amount the health-care system will waste this year. Here's why.

Of the \$817-billion projected to be spent on health care this year, about one fifth—\$163-billion—will go for administrative costs. Except for a fraction of a percent spent on research, the rest—roughly \$650-billion—will go to actual patient care. Physician and hospital services together make up most of that total, with the rest going to dentists, nursing homes, drugs, and various other expenses.

By our estimates, at least 20 percent of that \$650-billion, or \$130-billion, will be spent on procedures and services that are clearly unnecessary.

Many researchers have now attempted to quantify the rate at which specific procedures are used unnecessarily. Twenty percent represents a rough average of the rates found in major studies, and is a figure that several leading researchers in this field told us was a good approximation for the rate of unnecessary care.

Twenty percent also seems to be a conservative estimate of the rate of unnecessary hospital days, even though changes in Medicare and private-insurance policies make it difficult to estimate that number precisely.

Finally, as Dr. John Wennberg of Dartmouth and his colleagues have demonstrated

repeatedly, the rate at which physicians use a given procedure can vary four- or five-fold between one location and another. The supply of hospitals and physicians also varies greatly. Except in extreme cases where people lack access to basic medical care, people living in low-use or low-supply areas seem to be just as healthy as those in high-use or high-supply areas.

Dr. Wennberg and his colleagues argue that areas with abundant doctors and hospitals could provide significantly fewer health-care services without harmful consequences. Similarly, the high rates of procedures done in many areas could be cut back without overall harm. This sort of adjustment happens automatically, they note, in industrialized countries that control costs by capping the amount of money available for health care.

If overuse of medical services wastes \$130-billion a year, administrative inefficiency adds about \$70-billion. Projecting from 1991 estimates by the General Accounting Office, the U.S. could save roughly \$70-billion this year by switching from our fragmented and inefficient insurance system to a single-payer system—one in which all citizens receive health care from private doctors and hospitals that are paid by a single insurance entity. The savings would come roughly equally from insurance-company overhead and hospital and administrative costs.

Adding those two figures together—\$130-billion plus \$70-billion—gives an estimate of \$200-billion for the annual waste in the U.S. health-care system. This estimate, however, leaves out several important elements: Physicians' fees and the cost of technology, drugs, and procedures. If those costs were brought into line with reimbursement standards in other countries, the savings would be greater.

Moreover, we have not added in the cost of outright fraud—a factor that the General Accounting Office estimates could eat up a full 10 percent of the total health-care budget.

Some physicians cheat the system by ordering unnecessary tests and procedures—a type of fraud that is included in our estimates of unnecessary care. Other types of fraud, however, would not have been caught in the studies of unnecessary care that have been done. These include billing for services never rendered, falsifying reimbursement codes to collect more than the usual payment for a service and submitting inflated bills for supplies and medical devices.

Since we have not counted the cost of these fraudulent practices—or of the high price scale for health-care providers in the U.S.—our \$200-billion figure is truly a minimum estimate.

#### MEDICAL RED FLAGS—IS THIS TREATMENT NECESSARY?

Over the past decade or so, an entire industry has sprung up to identify overused and unnecessary medical treatments. The players range from academic researchers to policy analysts to private entrepreneurs that have insurance companies as their clients.

Some treatments, by virtue of their cost or their ubiquity, have attracted particular attention from the watchdogs. These treatments, listed below, are hardly the only sources of unnecessary care in the system. Nor, of course, does a procedure's presence on the list mean that it is always used unnecessarily—or even that that is usually the case.

Nevertheless, if your physician does suggest that you have one of these procedures, you'd be well advised to think twice. You might want to seek a second opinion, if pos-

sible, or question your doctor closely on the possible alternatives to the suggested treatment.

**Cesarean section.** About one in four U.S. births is completed surgically, a rate that may be twice the ideal. In this country, obstetricians routinely perform cesareans when the baby is breech, or for the vaguely defined diagnosis of "prolonged labor" or "fetal distress." Hospitals that have systematically set out to eliminate unnecessary cesareans have cut their rate at least in half without any apparent risk to mothers or babies. (See Consumer Reports, February 1991.)

In recent years, the electronic fetal monitor, a device for tracking the fetal heart rate during labor, has come to be used routinely in American hospitals—and has contributed to the high cesarean-section rate. Since abnormal fetal heart rates are associated with oxygen deprivation, it was assumed that prompt, automatic detection would enable doctors to intervene early enough to prevent fetal brain damage—for example, by performing a cesarean section on the mother.

But since the fetal monitor's introduction, no fewer than nine comparative studies, involving tens of thousands of women, have failed to demonstrate the hoped-for benefit. Monitored women do have a higher rate of cesarean sections and other costly interventions. But their babies fare no better than those of women monitored by the traditional means, in which a nurse simply checks the fetal heartbeat periodically with a stethoscope.

**Hysterectomy.** After cesarean section, this is the second most common major surgery in the U.S. Value Health Sciences, a firm that applies the Rand Corp.'s methodology for insurance-industry clients, calls 27 percent of hysterectomies unnecessary, the highest percentage of all procedures it evaluates. Rates of hysterectomy also vary greatly throughout the country, an indication that physician practice and preference play as much of a role as objective need in the decision to perform the operation. Many gynecologists still routinely recommend hysterectomy for fibroids, uterine prolapse, and heavy bleeding; alternative treatments are available for all three conditions. (See Consumer Reports, September 1990.)

**Back surgery.** Value Health Sciences has reported that 14 percent of proposed laminectomies, the most common type of back surgery, are unnecessary. Occasionally, some material from ruptured disc will press on spinal nerves and cause disabling or painful symptoms that require surgical correction, says Dr. Charles Fager, a neurosurgeon at the Lahey Clinic in Burlington, Mass. But usually, back pain yields to bed rest, the passage of time, physical therapy, or a combination thereof. "I only operate on one out of every 25 or 30 people I see," says Dr. Fager. Some surgeons aren't so finicky. Dr. John Wennberg of Dartmouth Medical School has traced sudden "epidemics" of back surgery to the arrival of a new neurosurgeon in a locality.

**Magnetic resonance imaging.** This powerful new imaging technique, which produces detailed pictures of internal organs without exposing the patient to radiation, is still so new that doctors are working out its best uses. In the process, they'll inevitably use it when they don't need to. Some groups of physicians have invested in MRI machines, creating the added temptation to profit by referring their patients for the test. Also, because MRI is virtually risk-free, it's especially likely to be overused as a defensive measure.

Experts stress that MRI procedures which cost about \$1000 apiece, should be ordered only when a patient's symptoms suggest he or she may have a condition that cannot be diagnosed definitively in any other way.

**Prostate surgery.** Dr. Wennberg and his colleagues at Dartmouth have shown that surgery for noncancerous enlargement of the prostate is among the most variable of procedures. They have also looked closely at what happens to men who get the surgery and those who don't. For many men, medical therapy can relieve symptoms. For others, putting off surgery isn't particularly dangerous, though the urinary obstruction caused by the condition can be uncomfortable.

When patients in a health maintenance organization were fully informed in advance of the risks and benefits of surgery, in a study that Dr. Wennberg designed, 80 percent of men with severe urinary symptoms chose to postpone the operation.

**Clot-busting drugs.** These drugs, when administered within four to six hours of the onset of a heart attack, can break up the blood clot blocking the coronary artery and thus greatly reduce the damage to the heart muscle. The largest comparative study done to date, of 41,000 patients worldwide, has found that all currently available clot-busting drugs are about equally effective in preventing fatal heart attacks—but one, streptokinase, has the lowest incidence of the most dangerous side effect, cerebral hemorrhage.

Of the two drugs used in the U.S., streptokinase also happens to be by far the cheaper—about \$200 per dose compared to \$2000 per dose for its genetically engineered competitor, tissue plasminogen activator (TPA). Nevertheless, TPA commands a majority of the U.S. market, apparently thanks to aggressive marketing by its manufacturer, Genentech.

For a person having a first heart attack, there's no reason to be treated with the more costly drug. Second treatments with streptokinase, however, are unsafe, since the first treatment can set up the mechanism for an allergic response to any future injection.

#### THE "CRISIS" THAT ISN'T—MALPRACTICE: A STRAW MAN

Ask physicians to explain why the cost of health care goes up continually, and you're likely to hear complaints that the U.S. malpractice system encourages unnecessary "defensive" medical care. The public seems to have bought this argument. In a recent survey, CONSUMER REPORTS subscribers guessed that malpractice tied with hospital costs as the biggest factor driving the cost of health care.

Is malpractice such a villain?

It's true that malpractice costs are higher in the U.S. than in other countries. And in the mid 1980s, malpractice claims—and, accordingly, insurance premiums—did take a sharp upward swing. There was much talk then of a malpractice "crisis." But that crisis now seems to have abated, as have previous ones. Malpractice is a cyclical phenomenon: Periodically, the incidence of claims rises, then falls back.

At the moment, malpractice claims have been in one such downswing. The rate of claims has declined steadily since the peak of the last "crisis" in 1985. So have malpractice insurance premiums. In 1990, according to Medical Economics magazine's annual survey of physicians, doctors' malpractice premiums on average consumed only 3.7 percent of their practice receipts—although the percentage may be double that for high-risk

(and high-paid) specialties, such as obstetrics, surgery, and anesthesiology. The U.S. Department of Health and Human Services puts the total cost of malpractice at less than 1 percent of total health outlays.

But then, no one argues that the direct cost of malpractice insurance is the main factor driving up the cost of care. Instead it's assumed that physicians, fearing malpractice suits, are forced to practice "defensive medicine" just to protect themselves in the event of a lawsuit.

Defensive medicine undoubtedly exists, and doctors themselves feel that the threat of malpractice forces them to do more tests than are truly necessary. But quantifying the cost of defensive medicine is a slippery matter. The American Medical Association made a stab at it in the 1980s, and decided that the total cost of medical malpractice, including premiums and defensive medicine, was about 17 percent of physicians' earnings.

However, the AMA estimate was based on physicians' own reports of what they considered defensive practices, such as doing more diagnostic tests, sticking with the safest possible treatments, telling patients more about treatment risks, and keeping more complete records.

As that list suggests, one problem with defining defensive medicine—let alone measuring it—is that it's difficult to distinguish from care delivered for other reasons. Is a doctor doing an unnecessary test out of fear of a lawsuit, or because the medical culture values doing "everything," or simply to reassure an anxious patient? Did an obstetrician perform an unnecessary cesarean for legal protection, for scheduling convenience, or to earn a higher fee?

"You mostly get anecdotes when you're talking about defensive medicine," says Randall Bovbjerg, an analyst at the Urban Institute in Washington, D.C., who has worked on several malpractice studies.

That's not to say there isn't a malpractice crisis, however. "The greatest single problem about malpractice is that there's a lot more of it out there than anyone is dealing with," says Bovbjerg. "Patients are getting avoidable injuries and no one is stopping it."

Documentation for Bovbjerg's claim comes from a study conducted by Harvard University researchers for the state of New York. The researchers reviewed a random sample of New York hospital records in 1984 and found that 3.7 percent of patients suffered "adverse events," slightly more than one-quarter of which could be attributed to actual negligence.

Of those who suffered negligent injuries, only about one-eighth ever filed malpractice claims, and only about one-sixteenth ever recovered any damages. Conversely, the study found many cases in which patients filed malpractice suits with no clear evidence of negligence.

Costs aside, the current malpractice system is at best only an imprecise means of controlling the quality of medical care.

#### HIGH-TECH COMPETITION—THE CARDIAC MONEY MACHINE

People with heart and circulatory diseases, the leading causes of death in the U.S., have benefited enormously from medical and surgical advances over the past two decades. Until the late 1960s, doctors couldn't do much more than give them a little nitroglycerin or digitalis in the hope of extending their lives moderately. Then came coronary bypass surgery, the first great treatment advance, in which blood vessels from elsewhere in the body are used to bypass diseased coronary vessels and restore more blood to the

heart muscle. Next, in the 1980s, came balloon angioplasty, in which a balloon attached to a catheter is passed into the narrowed coronary vessel and inflated to crush the blockage against the wall of the coronary artery.

The last decade has also brought new drugs to dissolve blood clots, to right irregular heartbeats, and to treat heart failure and high blood pressure; new imaging techniques; implantable electronic devices; and as a last resort, new methods of heart transplantation.

All this, together with changes in diet and exercise habits, has had a dramatic effect. The death rate from heart disease in the U.S. has dropped roughly by half since 1950.

But the improvement has come at a very high cost. New technologies are expensive technologies, and the cardiac field is no exception. Coronary bypass surgery, for example, can easily run \$30,000 or more for a single operation.

"It is just well-paid by everybody; even Medicare pays handsomely for it," says Ann Lennarson Greer, a medical sociologist at the University of Wisconsin. "The hospitals are crazy about bypass. Even if they're six blocks from a major heart center, they think they can't afford not to be in on it. People who get coronary problems, namely middle-aged men, tend to be among the best-insured people in our society."

(Uninsured patients may simply not get these costly procedures. One national survey found they were 39 percent less likely than the insured to get coronary angiograms—X-rays to evaluate the heart's blood supply—and 29 percent less likely to have bypass surgery.)

#### A GROWING PROFIT CENTER

Just how lucrative the cardiovascular field is was revealed in a 1990 report prepared by the Advisory Board Company, a Washington-based consulting firm, for its hospital clients. The report concludes that nearly one-quarter of all hospital revenues come from cardiology-related business, and of that, more than 80 percent comes from just four procedures—cardiac catheterization, angioplasty, bypass surgery, and heart-valve surgery. Not surprisingly, cardiovascular surgeons bring in the most revenue per in-patient hospital admission of any specialty—\$10,942 in 1989, more than twice the average doctor's rate—according to an annual survey by Jackson and Coker, an Atlanta-based physician-recruiting firm.

The profit margins are as impressive as the revenues, according to the Advisory Board report: 70 percent for catheterization, 37 percent for angioplasty, and 40 percent for bypass, compared with overall profit margins for hospitals of less than 4 percent. And, to top it all off, the number of cardiac diagnostic and treatment procedures performed in the U.S. has been growing at an average annual rate of 12.7 percent.

The Advisory Board report uses a real, though unidentified, hospital to illustrate the profit potential. Wanting to increase its cardiology market share, the hospital invested \$3-million in state-of-art equipment for catheterization and open-heart surgery. The improved equipment (and additional support staff) attracted 25 new cardiologists to the hospital, who brought in hundreds of new patients for catheterization, angioplasty, and bypass. Within two years, the extra business has repaid the entire upfront investment and was adding \$1.8-million a year in profits to the hospital's bottom line.

This sort of return on investment has caused hospitals to look increasingly to car-

diovascular care to fill their empty beds. In 1980, according to the Advisory Board report, there were 382,000 cardiac catheterizations performed in the U.S. and 340,000 treatment procedures, including bypass, angioplasty, valve surgery, and pacemaker implantations. By 1988, the volume of catheterizations had grown to 965,000 and the volume of procedures to 930,000.

Were all those procedures really necessary?

#### DOCTORS' DILEMMAS

The treatment of heart disease is a classic example of the way in which medical uncertainty produces variable, unnecessary care. Treatments for heart disease are advancing so rapidly that there's often little consensus on what to do or when to do it. What symptoms require a coronary angiography exam? Should a person with mildly uncomfortable angina and blockages in one or two vessels stick with drug treatment, or undergo angioplasty? If angioplasty has failed once, should it be repeated or should the patient get a bypass operation?

Medical journals are filled with debates on those questions. In the meantime, physicians must make daily treatment decisions with little guidance on which course is preferable—but knowing that they will be financially rewarded for ordering the maximum intervention.

Writing in the *Journal of the American Medical Association*, Dr. Thomas N. James of the University of Texas, Galveston, put it this way: "The same physician who decides whether a diagnostic or therapeutic procedure is to be done is too often also the one who does the procedure, interprets the findings (and decides whether additional procedures are indicated), and is paid for each step of the way. This is not to say that such physicians are unskillful or that their decisions are necessarily made on the basis of personal gain, but the temptation is inescapably there."

Under those circumstances, it would be surprising if unnecessary procedures were not being done. The evidence is that they are:

A study of pacemaker implantations in Philadelphia hospitals found that 20 percent were unnecessary and another 36 percent were problematic.

A San Diego team found that, among patients who'd been hospitalized with mild heart attacks, 40 percent of those who got angiograms didn't need them. In addition to running up a bill ranging from \$2,000 to \$3,500, these patients were put at a slight risk of complications from the procedure itself.

A team from Brigham and Women's Hospital in Boston examined the need for bypass surgery among 88 patients for whom it had been recommended. They advised against surgery for 74 of the 88. Among those 74, 60 accepted the second opinion and didn't have the operation. Over a follow-up period of more than two years, there were only two subsequent heart attacks, neither of them fatal, among this group—an outcome comparable to that of people who receive angioplasty or coronary bypass surgery.

#### RISKY MEDICINE

Despite findings like these, competitive and financial pressures conspire to encourage hospitals to build even more cardiac-care units. Consider the case of Manchester, N.H. Until 1985, Manchester residents who needed open-heart surgery had to travel to Boston or to Hanover, N.H., to get it. That year, a Manchester hospital, Catholic Hospital Medical Center, opened the first local open-heart



## EXTENSIONS OF REMARKS

PROF. LEWIS BRANSCOMB AND  
HARVARD BUSINESS REVIEW  
READERS CRITIQUE TECH-  
NOLOGY POLICY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. BROWN of California. Mr. Speaker, the importance of the Government as a partner in improving the competitiveness of our Nation's industries is an increasingly central concern of American businesses. U.S. firms must operate in an environment in which international challenges permeate our economy, accelerating the speed of technological change, and expanding the scale and scope of the resources and expertise required to remain competitive. This is an environment in which our firms must have access to state-of-the-art practices and technologies to remain competitive. Working to meet these challenges, U.S. firms are often handicapped by the fragmentation of many of our industries and by difficulties in gaining and incorporating knowledge about the latest processes and products. One area in which there has emerged a strong argument for an active Government role is in improving and advancing the technological infrastructure that serves our Nation's industries.

The importance of this challenge was highlighted in recent issues of the Harvard Business Review [HBR]. Lewis Branscomb, former chief scientist at IBM, former Director of the National Bureau of Standards—now the National Institute of Standards and Technology—and current director of the Science, Technology and Public Policy Program at Harvard University's Kennedy School of government, has argued for a fundamental rethinking of our approach to policies affecting technology. In his article, "Does America Need a Technology Policy," in the March–April 1992 issue of HBR, Professor Branscomb notes that—

The issue isn't whether the United States should have a technology policy—it already does—but what kind of Government policies and programs make sense in the new competitive environment.

He notes that—

Instead of concentrating on the "supply" of new technologies, government should stimulate "demand" for innovative ideas by helping companies across the industrial spectrum speed up the commercialization of good ideas to meet specific business needs. This can be done by encouraging collaborative research among companies and between industry, universities, and government labs; by investing in the technological infrastructure on which all innovation is based; and by helping develop the tools and techniques that all companies need to be more productive.

In the subsequent May–June 1992 issue of HBR, responses to Professor Branscomb's ar-

ticle from 18 industrial representatives, analysts, and academics were published in "Technology Policy: Is America on the Right Track?" These responses reflected a remarkable consensus that reinforced Professor Branscomb's thesis, also arguing for thoughtful, strategic technology policy, developed in close collaboration with industry, that would bridge structural weaknesses that handicap our firms.

Many of these very concerns are being addressed in the National Competitiveness Act of 1992 (H.R. 5231) and the American Technology Competitiveness Act of 1992 (H.R. 5230). The former is legislation that was introduced by Mr. VALENTINE, chairman of the Subcommittee on Technology and Competitiveness, and was recently reported out of the Committee on Science, Space, and Technology. The latter is a broader legislative package that I introduced.

In these bills, we are moving toward the development of a more effective technology infrastructure through programs that strategically complement the activities of the industry, addressing needs that industry has identified. The formation of manufacturing outreach programs, of a computer network that will link the Nation's manufacturing extension offices, the greater coordination of technology policy with substantial industrial advice, and the enhanced support of advanced, technology-based programs, such as the Advanced Technology Program of the Department of Commerce, are among the provisions of these bills which have been well received by the industrial community.

A review of the National Competitiveness Act of 1992 has been provided by the central actor in the technology policy debate in the Harvard Business Review, Lewis Branscomb. In a recent hearing before the Subcommittee on Technology and Competitiveness, Professor Branscomb submitted a detailed assessment of the bill and endorsed each of its principal provisions. He reaffirms that two key weaknesses in national competitiveness that would be effectively addressed by the bill, (1) the national underinvestment in infrastructural technology, and (2) the need for the more effective diffusion of technical knowledge and skills.

The legislation proposed in H.R. 5231 and H.R. 5230 would make real and timely contributions to the long-term growth of our Nation's economy. Because of his insightful discussion of the need for this legislation, I would like to submit excerpts from Professor Branscomb's testimony to the CONGRESSIONAL RECORD.

EXCERPTS FROM THE TESTIMONY OF PROF.  
LEWIS BRANSCOMB

In 1971 the Secretary of Commerce told the Congress the government had to react to the competitive threat from abroad to our high technology industry:

"The magnitude of the problem is such we cannot rely upon normal forces to maintain our advantage in technology. We have recog-

nized this fact in space, defense, and atomic energy areas. Other trading nations have recognized it in the area of civilian R&D and have taken steps to assist technological development. If we are to maintain our advantages in this area we must first of all accept the idea that it has become a proper sphere of governmental action."

This testimony did not come from a left-leaning advocate of "industrial policy;" it came from a conservative advocate of private enterprise and limited government, Mr. Maurice Stans, President Nixon's Secretary of Commerce. In the fifteen years since I served as Director of the National Bureau of Standards under Mr. Stans, forward looking Americans from both political parties have been looking for ways to convert U.S. leadership in science and engineering into better jobs and more competitive firms. This legislation represents a major step down that path.

Titles 1–6 of H.R. 5231 deal directly with science and technology; that is, they are concerned with microeconomic issues. I will focus on these titles this morning. But I want to acknowledge that macroeconomic policy, particularly tax and investment incentives such as those in Title VIII and some of those in the minority's bill H.R. 5229 are important to competitiveness too. The problem with macro policies is that they tend to be much more expensive than more tightly targeted and managed S&T activities, particularly since most of the technology policy innovations I favor can be done within the current total government R&D budget by managing defense conversion as called for in section 941.

The other alternative to S&T programs is trade policy. Too many Americans look to trade policy as a surrogate for technology policy. The President's trip to Japan is a very unfortunate demonstration of the failure of this approach. Our competitive challenge is with imported products on the store shelves here at home. Only measures to make American industry more productive and innovative will, in the long run, protect American workers from imported products of lower cost and higher value.

Some people debate whether the government should even have a "technology policy," even though America has had such a policy ever since World War II. For the first 20 years after the war that policy was based on government initiated investments in technology for defense, space and atomic energy, together with government funding of strong basic research in universities and national labs. Private industry had little difficulty fending for itself in a world of little competition. This policy served American interests very well. The trouble is, the old de facto policy is now obsolete.

Dr. Bromley recognizes that fact, for he is the author of the Administration's "U.S. Technology Policy", published by the White House and sent to the Congress on Sept. 26, 1990. It is not a bad policy as far as it goes, as it emphasizes technology diffusion and utilization as well as R&D. The Administration's fiscal year 1993 budget request has a number of initiatives that are quite commendable, proposing to double the budgets of

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

both NSF and NIST. But the Administration is still nervous about declaring its clear intention to use the \$70 billion the government spends on R&D a lot more effectively in pursuit of a strong economy, which is the source of the nation's security and a rising standard of living.

The policy we have been pursuing for the last 40 years needs bold revision. Here's why:

(1) Americans are losing confidence in the value of basic scientific research and of the universities in which it is conducted. Why? Because the public found out that the best science in the world is no guarantor of economic success if government and the private sector do not do enough to help Americans create, find, adapt, and use technology to good advantage. Trickle down doesn't work with science any better than it works with wealth. But a strong technology strategy will create equally strong demand for a leading position in science as well.

(2) To improve the competitive advantage of our manufacturing companies the government should invest in the kinds of technology that matter in commercial competition, and stop relying so heavily on defense and space spinoff and trickle down. Agencies have been investing billions in "megaprojects" in the mistaken expectation that if we spend enough money on technology for government missions, the "spin off" of technology to commercial firms will substantially enhance their competitiveness. As Linda Cohen and Roger Noll point out, the biggest government engineering projects almost inevitably create a captive constituency which then blocks the changes needed to keep such projects economically justified. Sylvia Ostrey calls this process "winners picking governments." Well managed big-science projects can, of course, be valuable for science, for defense, and for national pride. But improving competitiveness calls for more decentralized actions, such as those proposed in this bill. These actions should focus on access to technology and more effective use of technology in tens of thousands of small to middle sized firms.

(3) If U.S. commercial firms can't match Japanese costs, quality, and speed to commercialization, we should not ask Defense agencies or Defense companies to tell them how. The Defense department will have its hands full keeping its technology strong despite decreasing budgets. The military services' problems will be to get access to the world's best commercial technology. They should be sharing with commercial firms the cost of developing dual use technology both can use. If they do, both the economy and our security will be strengthened. Recommendations by the Carnegie Commission to broaden DARPA's mission to include dual use technology explicitly have been into legislation by Senator Bingaman. But as the legislation points out, effective capabilities to address commercial technology needs must be developed in the civil agencies.

(4) Competitiveness depends primarily on manufacturing cost and quality and the speed with which a firm can react to customer needs and exploit a new scientific advance. In short, a competitiveness strategy must address technologies for design, production processes, manufacturing and quality assurance—not just research and product development. The Committee's legislation correctly focuses on these "downstream" areas of technical performance, but the traditional U.S. non-military policy does not. Few of the government's mission-oriented programs involve manufacturing in high volumes, place a high premium on the lowest

possible costs, or are intended to respond very quickly to changes in both product and process.

The responsibility for generating and using technology to support economic competitiveness is primarily the responsibility of private industry. Seventy percent of U.S. R&D is performed by private firms, although government pays for half the R&D in America. Depending on whether a firm's technology is for commercial, military, or environmental use, the firm sees government pursuing laissez-faire policies, running a command economy, or forcing technology through regulations. It is increasingly anomalous that government insists on invoking three different and incompatible economic paradigms for technology generation, depending on whether the purpose of the technology is to meet military, commercial, or environmental markets.

The rationalization of these increasingly contradictory paradigms leads to two conclusions:

(a) The U.S. must have a well integrated industrial technology base that supports all of the nation's priority needs, encouraged by a public policy that serves those needs in a consistent manner. Progress in modern, science-based engineering depends increasingly on a publicly supported infrastructure of technical knowledge, skilled people, tools, materials, and facilities. Between the realms of basic science and proprietary technology there lies a large domain of public-good technology. Firms under-invest in this "infrastructural technology" because of low appropriability of the benefits.

(b) Economic performance rests primarily on how well the society uses existing technology, acquires skills, and scientific understanding. It follows, then, that the government's technology policy must give much greater emphasis to the diffusion of technical knowledge and skills. The primary elements of a diffusion strategy are: aggregating, evaluating, communicating, and absorbing non-proprietary information. The primary mechanisms are through education, mobility of technical personnel, and networks (both facilities and institutions) for promoting cooperation and sharing. Collaboration between the states and federal resources, especially for industrial extension services, is particularly important.

H.R. 5231 is consistent with this approach.

### A TRUCK IS A TRUCK: SUPPORT THE MISCELLANEOUS TARIFF BILL

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. HUNTER. Mr. Speaker, later this week, when it considers H.R. 4318, the miscellaneous tariff bill, the House will have an opportunity to correct a 1989 Treasury Department ruling which overturned a Customs classification decision on multipurpose vehicles [MPV's].

As my colleagues are aware, the Customs Service studied the MPV issue for a year, and determined that all sport utility vehicles and minivans were properly classified as trucks rather than passenger cars.

The Treasury Department overturned this decision, replacing it with one which makes no

sense—based on the number of doors a vehicle has and the presence or absence of rear side windows. It was a decision which resulted from intense foreign lobbying, and it should not stand.

Earlier this week, a number of my colleagues joined me in circulating a "Dear Colleague" letter urging that the Congress uphold the original Customs Service decision by supporting enactment of H.R. 4318. We also wrote to the President urging that he support the legislation.

Today, I would like to insert into the RECORD, a February 1989 memorandum from the Deputy Commissioner of Customs to the Deputy Secretary of the Treasury urging that the Customs ruling be confirmed in full.

The Deputy Commissioner, following a tour of a Toyota plant, made a very compelling argument on behalf of the Customs Department position: "It is clear that the Forerunner is a truck, built in a truck factory, built on a truck chassis, built on a truck assembly line."

Mr. Speaker, a truck is a truck. And we have an opportunity to make that crystal clear when we consider H.R. 4318 later this week.

At this point, I would like to insert in the RECORD, a copy of the 1989 Customs Service memorandum. I urge my colleagues to read it:

U.S. CUSTOMS SERVICE,

Washington, DC, February 15, 1989.

To: Deputy Secretary McPherson.

Thru: Assistant Secretary for Enforcement and Operations Commissioner of Customs.

From: Deputy Commissioner of Customs.

Subject: Classification of Vehicles.

On February 15, 1989, I had the opportunity to visit a Toyota manufacturing plant in Japan. Information obtained in that visit is pertinent to the decision on the classification of vehicles under the Harmonized Tariff System. Based on this visit, the accuracy of Customs classification is confirmed. Customs' classification of each of Toyota's vehicles is exactly the same as Toyota's—absolutely no difference. The factory we visited was manufacturing pickup trucks and Forerunners.

While we were cordially welcomed by Toyota, it was very clear that they did not want us to visit the Forerunner/pickup truck plant. Every effort was made to discourage us. They claimed the assembly line was in disarray, in changeover, not fully operating, in conversion to the 4-door model, etc. The real reason for not wanting us to see became clear soon after arrival; i.e., we saw a totally integrated truck-manufacturing facility, totally segregated from automobile and station wagon manufacture.

While it is accurate to say that Forerunners and pickups are produced in the same factory, it is more precise to say they are produced on the same assembly lines—the 4-door Forerunner included. Line after line included 2-door and 4-door Forerunners intermingled with pickup trucks. The integration of the Forerunner with the pickup truck was virtually complete.

The factory engineer pointed out these differences between the 2 vehicles and the processing:

The finish on the Forerunner is superior because it is "designed for the transport of people!"

The back seat folds flat so it will be "more comfortable for persons to sleep."

The rear-wheel suspension is heavier to "carry heavy luggage."

It is clear that the Forerunner is a truck, built in a truck factory, built on a truck

chassis, built on a truck assembly line. It is hoped that this argument is not too simple in contrast to the complex and novel argument contrived by foreign manufacturers' representatives based on meeting notes, purposely deceptive information, and their own vivid imaginations. A brief visit provides striking and shocking confirmation of Customs' ruling.

A visit to the Toyota Headquarters was equally enlightening. You asked at our last meeting if we could develop a continuum from vehicles clearly designed "principally for the transport of persons" and those clearly designed for the "transport of cargo." Toyota itself has developed this continuum and classification system, in its internal literature, documentation, and working documents throughout its organization. On a huge 2-story wall, each Toyota vehicle is displayed on 2 large charts. On the left side of Chart 1 is each sedan and station wagon. On the left side of Chart 2 is each minivan, sport utility vehicle, and truck. The classification by Toyota is identical to that of Customs. The attached chart provides some small idea of the wall display. An even more dramatic representation will be delivered to you next week. Time did not permit additional visits. However, on the basis of evidence gained at Japan's largest manufacturer of motor vehicles, the accuracy, indeed perfection, of the Customs' ruling is confirmed.

Mr. Rohde accompanied me on this visit, and will be available to confirm and elaborate on our findings next week. If you are not completely convinced at this point to confirm the Customs' ruling in full, it is respectfully requested that you delay the decision until you have had the opportunity to be briefed by Mr. Rohde in more detail. This visit to Toyota's manufacturing plant was to Baltimore Harbor what lightning is to the lightning bug. In the meantime, I remain your man in Japan.

FATHER JEROME HOLTZMAN'S  
PRAISE OF AMERICA

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. JOHNSON of Texas. Mr. Speaker, I have known Father Jerome Holtzman of Watertown, SD, for many years, and I was so impressed by a guest editorial that he wrote for the Watertown Public Opinion on our great democracy that I want to see it reach a wider audience. It's his view, and mine that, even despite all of our problems, America still serves as a beacon of freedom to the rest of the world. In all the depressing news about the economy, we sometimes forget what a wonderful country that we have, and what America means to the people of the world. I believe it contains much wisdom, Mr. Speaker, and I commend it to you:

DEMOCRACY AT WORK AND AT PLAY—A VIEW  
FROM THE OUTSIDE

(By the Rev. Jerome Holtzman)

(Editor's Note: Today's Guest Editorial was written by the Rev. Jerome Holtzman, the new pastor of the Holy Name Catholic Church. Rev. Holtzman recently returned to the United States after serving six years as a missionary in Thailand where he learned first hand about what the lack of democracy

and freedom were all about. The thoughts below first appeared last Sunday in the Holy Name News. These thoughts deliver quite a message!)

Our form of democratic government may not be the best possible in the world, and it may not have to be applicable to every other country in the world, but I like it and it is fun. And I don't notice too many Americans stomping at the border to get out. Can you imagine an American Refugee Camp in Mexico or Canada?

My perspective may be prejudiced by living for six years in a country still struggling to establish a democratic form of government; in a country where just recently 1,000 people protesting against a military leader were killed. That same country has a king, a marvelous, beloved man. But to say one word in criticism of him could land you in jail or thrown out of the country. Imagine how crowded our jails would be if we had a law preventing us to say a bad word about our president.

Next to Thailand is Burma. It has an elected president, a lovely lady. She is imprisoned and many of her supporters have been killed. The oppressive military has forced thousands of refugees to seek sanctuary in Thailand and even Bangladesh. To the north of Thailand is Laos. Its Communist regime is still not welcoming back those who oppose the government or left for economic reasons. And then there is Cambodia: Pol Pot, who was responsible for killing 1 million of his own people, still claims a role in the present coalition government. The United States, for all its social, economic, racial, political and cultural problems is still the idol of freedom of millions throughout the world.

You may get tired of listening to all the political prophets and pundits. I love 'em! I certainly don't agree with all of them. And that is the point. You don't have to. That is our freedom: To agree or disagree. Nobody is going to shoot you, put you in prison, or kick you out of the country if you don't agree. Their language may be rhetorical, poetical, demagogical or just plain baloney. But much of it is classic and I delight in hearing English with all its regional accents and flavors. It sounds sweet to ears that have been bombarded with foreign tongues. This is American English. This is the U.S.A.

Are the party conventions worth \$22 million? I say yes. That is cheap advertisement for American patriotism. And it is much better publicity for our form of government than bombs or bullets.

What has this all got to do with the Gospel? I think everything. Part of our American mythology is to be a "light to the nations." We can be faithful to that divine call only if we continue our struggle for "equality, liberty and justice for all."

There is one thing my foreign friends don't understand about our system: How come only 40 percent of our eligible population would turn out to vote? I can't answer that one. Can you?

I don't believe the United States is the promised land. Nor do I believe it has to be number one. I just want to let you all know that I am happy, excited and grateful to be here.

A TRIBUTE TO JOHN J.  
MACCARONE, GLEN COVE RECREATION OFFICIAL

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. ACKERMAN. Mr. Speaker, I rise today to honor the memory of John J. Maccarone of Glen Cove, NY.

A sports enthusiast who for more than 20 years was commissioner of parks and recreation for the city of Glen Cove, died July 15 at the age of 68 while attending a Glen Cove Golf Commission meeting at city hall. Mr. Maccarone participated in and coordinated numerous sports activities, including last year's All Saints Golf Classic to benefit All Saints Regional Catholic School in Glen Cove and Glen Head.

Mr. Maccarone had been honored by the Amateur Softball Association of America and had his name enshrined in the National Softball Hall of Fame in Oklahoma City. A 1942 graduate of Glen Cove High School, he went on to become a founder and past president of the Glen Cove Hall of Fame, which honors local athletes for their contributions to the city's youth and sports programs and provides scholarships to Glen Cove High School athletes.

Mr. Maccarone was also a World War II veteran, having served our country in the Army Air Force in England and Germany.

Mr. Speaker, I call on all my colleagues in the House of Representatives to join me in mourning the loss of John J. Maccarone. He was a great contributor to the community of Glen Cove, and will be missed dearly.

JOHN J. MACCARONE, GLEN COVE RECREATION OFFICIAL

(By Stuart Vincent)

John J. Maccarone, 68, a sports enthusiast who for more than 20 years was commissioner of parks and recreation for the City of Glen Cove, died Wednesday night of a heart attack while attending a Glen Cove Golf Commission meeting at City Hall.

"He's one of those people who is a real Glen Cover," Mayor Donald DeRiggi said of his commissioner. "He touched so many people through the Parks and Recreation Department and the golf course that he's very, very well known. He always accommodated someone who wanted to get their child into the day camp or wanted to get a team into a league or start a basketball tournament. He was somebody who not only did his job, but a lot more."

DeRiggi said it was not uncommon for Mr. Maccarone to patrol golf course greens at 6:30 a.m. and softball fields at 10 p.m. and on weekends.

Mr. Maccarone, who was a participant as well as a coordinator of numerous sports activities, had been honored by the Amateur Softball Association of America and had his name enshrined in the National Softball Hall of Fame in Oklahoma City. He helped to organize last year's All Saints Golf Classic to benefit All Saints Regional Catholic School in Glen Cove and Glen Head.

Mr. Maccarone was a founder and past president of the Glen Cove Hall of Fame, which honors local athletes for their contributions to the city's youth and sports pro-

grams and provides scholarships to Glen Cove High School athletes.

"He really, really loved sports," said his son, Glen Cove Councilman John L. Maccarone, who was with his father at the Golf Commission meeting Wednesday. "And you know what's great? He's going to be buried right next to Rocky Graziano. The champ is going to be right next to my pop."

A 1942 graduate of Glen Cove High School, Mr. Maccarone was a Locust Valley native and longtime Glen Cove resident. He was a World War II veteran, serving in the Army Air Forces in England and Germany. He later graduated from the University of Miami and was named city commissioner of parks and recreation by former Glen Cove Mayor Andrew J. DiPaola.

In addition to his son John, survivors include his wife, Elizabeth; two other sons, Robert and Richard, both of Glen Cove; a daughter, Leslie of Glen Cove; a brother, Ralph of Glen Head; two sisters, Mary Capobianco of Locust Valley and Laura Mastroianni of Glen Cove, and two grandsons. He was the brother of the late Patrick and Joseph Maccarone.

### CONGRESS NEEDS TO PASS AN NIH REAUTHORIZATION BILL

**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. MAZZOLI. Mr. Speaker, the following article from the July 20th issue of Business Week underscores the need for Congress to pass, and for the President to sign into law, the National Institutes of Health [NIH] reauthorization bill.

Research on diseases which affect disproportionately more women than men must receive both increased attention at the NIH and increased Federal research dollars. A General Accounting Office [GAO] study, conducted in 1989, pointed out an unacceptable disparity in the share of Federal dollars that go toward women's health research; and, quite properly, the National Institutes of Health is now making women's health research a top priority.

Under the leadership of Dr. Bernadine Healy, in 1990 the Institute established the Office of Research on Women's Health [ORWH]. The intent of this move is to include more women in clinical research and to direct increased resources toward finding cures for diseases which affect women exclusively.

More recently, the NIH, at the urging of the Congressional Caucus for Women's Issues, launched a path-breaking \$500 million, 10-year study—called the Women's Health Initiative—to determine how cardiovascular disease, cancer, and osteoporosis might be better prevented in postmenopausal women.

Programs like the ORWH and the Women's Health Initiative need to be adequately funded. However, last month the NIH reauthorization bill became caught up in the wrangling over fetal tissue research and, for that reason, did not become law.

That NIH bill would have authorized \$325 million for breast cancer research—a cancer which will kill 46,000 women this year—\$75 million for gynecological cancer research and

\$40 million for osteoporosis research. Furthermore, the NIH bill would have established, by statute, the Office of Research on Women's Health. Today, it only exists under executive branch authority. This change will make the office a permanent part of the NIH family of research arms.

Mr. Speaker, I have already cosponsored a number of bills in the 102d Congress which authorize increased funding levels for research on breast cancer and other women's diseases. And I would like very much to support an NIH reauthorization bill because it needs the funding as well as a new, secure mandate.

So, I urge Congress and the President to work together and, as soon as possible, bring an NIH bill to the floor which does not become a pawn in the battle over fetal tissue research, but which can be signed into law so the NIH can proceed in its vital and necessary work: to save the lives and protect the futures of millions of women.

#### FINALLY, A HEALTHY INTEREST IN WOMEN

(By Sunita Wadekar Bhargava)

Each year in the U.S., some 500,000 people suffer swelling in the joints and glands and other telltale signs of the sometimes-fatal immunological disease called systemic lupus erythematosus. About 90 percent of these victims are women, more than half of child-bearing age. Yet many don't know they have the illness. And doctors don't know what causes it, nor do they understand why it attacks women mainly and strikes black women three times as often as white.

Until two years ago, in fact, no one was even trying to answer these questions. Then, researchers at the National Institute of Arthritis & Musculoskeletal & Skin Diseases in Bethesda, Md., took action. In 1991, they started distributing information about the disease to black women and launched studies to determine what causes the disease.

As the efforts to unravel this mystery show, women's health issues are becoming a priority after decades on the back burner. Until recently, most new drugs were tested mainly on men, and a disproportionate number were aimed at men. Then in 1990, a General Accounting Office study put the blame on the National Institutes of Health, the nation's premier medical research and development body. That year, the NIH launched the Office of Research on Women's Health [ORWH]. And it gained an important patron when Dr. Bernadine P. Healy became NIH director in April 1991.

Through the ORWH, the NIH is pushing health centers, particularly its various institutes, to include women in clinical trials for medicines, to start work on diseases that afflict women only, and to study whether maladies such as heart disease, AIDS, and cancer affect women differently than they do men. "Medical research is starting to shift toward women's health issues," says Joan Kuriansky, who chairs the Campaign for Women's Health, a Washington, D.C., advocacy group.

In fact, the NIH's focus is fueling "an explosion of interest from drug companies," says Dr. Florence P. Haseltine, founding president of the Society for Advancement of Women's Health Research. In the past year, Wyeth-Ayerst, Sandoz Pharmaceuticals, and Pfizer, among others, have set up female health care research departments. As of last December, says the Pharmaceutical Manufacturers Assn. (PMA), there were 263 medicines in development for women at 79 drug companies. The lure for drugmakers: Lucra-

tive markets that should develop as millions of female baby boomers encounter fertility problems, then reach middle age and menopause.

#### MICE AND MEN

It will nonetheless take years to compensate for decades of neglect. Women are 52% of the U.S. population and face similar risk for many of the killers that hit men. But until now, research on such key problems as heart disease, lung cancer, and the effects of smoking—and on drugs to treat them—has been done mostly on mice and men, middle-aged white males at that. Researchers excluded women by arguing that pregnancy and women's fluctuating hormone levels could skew their results.

That's a risky oversight. Recent studies suggest that chemical differences between men and women create distinctions in their ability to absorb and metabolize up to 30% of all drugs. Women have more body fat than men, so some drugs may linger in their systems longer. The changes in hormone levels during the menstrual cycle also affect the behavior of drugs. These differences, says Dr. Lionel Edwards, chairman of the special populations committee of the PMA, can affect a drug's appropriateness and dosage. Without the right data, doctors can't tailor treatments for women.

#### FAIR SHARE

Such is the case with coronary heart disease. Women typically develop it 10 years later than men, and scientists have long interpreted this delay to mean that women are less affected by it. So, most prevention strategies and treatments for heart attacks are derived from research on men, including a landmark aspirin study financed by the NIH. Conducted by the National Heart, Lung & Blood Institute in 1981 on 22,000 male physicians, it found that men who take an aspirin every other day lowered their heart attack risk. But since women weren't included, researchers didn't know whether aspirin helps, harms, or has no effect on them.

That exclusion outraged women when it was cited in the GAO report. In 1989, the Congressional Caucus for Women's Issues urged the GAO to investigate whether the NIH discriminated against women in medical research. The GAO found that women weren't included in research and prodded the NIH to set up the ORWH. Since then, AIDS and cancer activists have joined in advocating that research on women's maladies should get more dollars.

Companies have reacted quickly. High on their lists are drugs to treat hot flashes caused by menopause, hypertension, congestive heart failure, osteoporosis, and breast, cervical, lung, and ovarian cancer. Since 1991, Sandoz Pharmaceuticals Corp. has stepped up its research on postmenopausal osteoporosis, the bone loss that affects 25 million U.S. women. "We are not only looking at drugs or treatment, but at a new delivery system," says Dr. Donnica L. Moore, associate director of the Sandoz Medical Education Center. Osteoporosis sufferers now take Sandoz' Miacalcin by injection, but Sandoz is testing a more convenient aerosol nasal spray. At Warner-Lambert Co., which has 21 compounds for women in development, reproductive biology is a top priority.

The NIH, meanwhile, has set an even more ambitious—and controversial—agenda. Its Women's Health Initiative, launched last year, is a \$500 million, 10-year plan to study 150,000 post-menopausal women to determine how diet, exercise, and hormone therapy might prevent cardiovascular disease, can-

cer, and osteoporosis. One trial will examine whether a low-fat diet helps prevent breast cancer and heart disease. The NIH also will screen applicants for funding to make sure they include more women in their studies or provide a rationale for not doing so. It also is asking researchers to evaluate how drugs behave differently in men and women.

Last year, the NIH made cardiovascular diseases, osteoporosis, and cancer its top priorities, and the agency boosted research on women in all three areas. Already, one new program promises insights in preventing lung cancer, the No. 1 cancer killer of women. One finding—that more girls than boys start smoking in their teens—suggests that prevention efforts need to focus more on girls.

The NIH is also putting more muscle behind research on AIDS in women. The disease is spreading faster among women than men, according to the Centers for Disease Control, but until last year most AIDS research was done on young, white males. To redress the oversight the NIH will spend \$120 million for research on AIDS in women in fiscal year 1993, up 56% since 1990.

#### GUARDIANS

These funds will help finance studies at the National Institute of Allergy & Infectious Diseases, an NIH affiliate. One will examine the effect of AIDS on 500 pregnant women and their offspring. Another, a five-year effort will examine how the AIDS infection manifests itself in 2,500 HIV-positive women. Of great concern is the relationship of the infection to women's disorders. Early findings show that HIV-infected women have higher rates of abnormal pap smears and cancer of the cervix, and they react differently to sexually transmitted diseases.

The new priorities are tentative, so far. "In an ideal world, our office should not exist," says Dr. Vivian W. Pinn, director of the NIH's ORWH. "But we have to be there to make sure that the other NIH institutes and affiliates are spending money on women's research. And Congress has yet to give statutory authority to ORWH, as the Women's Congressional Caucus has demanded. Unless this happens, advocates fear that women's concerns won't remain front and center at the NIH.

That would be too bad. It seems all too obvious that when it comes to doing medical research and developing drugs, women shouldn't be thought of as the same as men.

HONORING DR. JOE A. LOPEZ,  
PRINCIPAL, VALLE LINDO HIGH  
SCHOOL

### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. TORRES. Mr. Speaker, I rise today to recognize a special individual and dedicated public servant, Dr. Joe A. Lopez, principal of Valle Lindo High School in El Monte, CA.

In 1969, Joe earned his bachelor of vocational arts degree from California State University, Los Angeles, and 1970 he earned another bachelor of arts degree of the field in sociology. He received his master of arts degree in 1974 from California State University, Long Beach. In 1986, he completed his doctor of education degree with an emphasis in institutional management at Pepperdine University.

He and his lovely wife, Madeline, have been married for over 40 years. They have 6 children, 12 grandchildren, and 1 great grandchild.

For the past 26 years, Joe has dedicated his career to the field of education. In 1966, he began his career in education with the Alhambra High School District as a classroom teacher at Mark Keppel High School. From 1972 to 1976, he served as counselor and director of title 1 programs, at Ontario High School. He was promoted to assistant principal of Excelsior High School, where he served from 1976 to 1980. His expertise in the areas of staff supervision, curriculum and instruction development, pupil personnel services, budgeting, administration of special programs, and the development of parent advisory committees have served him well since 1980 as principal of Valle Lindo High School.

In addition to his distinguished professional accomplishments, Joe has been involved with a variety of educational associations, including the Association for California School Administrators, California Teachers Association, National Educators Association, and California Continuation Association.

He also serves as a board member of Project U-Turn, member and past president of the El Monte/South El Monte Coordinating Council, advisory board member of the El Monte Comprehensive Health Clinic, and South El Monte Commission for the Youth-Anti-Gang Commission. In addition, he is active with the St. Vincent De Paul Society and Industrial Lions Club of South El Monte.

Since 1984, Joe has served as a member of my U.S. Academy Service Review Board. The board meets annually to interview and screen applicants who are seeking admission to a U.S. service academy. The dedicated work performed by Joe and the other members of the board is an indispensable contribution to me in selecting my nominees. Their work ensures that high standards are maintained for our Nation's future officer corps.

Mr. Speaker, it is with pride that I rise to recognize my friend and adviser, Dr. Joe A. Lopez, and I ask my colleagues to join me in saluting him for his outstanding commitment to the defense of our Nation and for his record of unselfish service to the residents of the 34th Congressional District.

THE 25TH YEAR OF SERVICE BY  
GREATER SAN BERNARDINO  
KIWANIS CLUB

### HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. BROWN of California. Mr. Speaker, I rise today to recognize the Kiwanis Club of Greater San Bernardino as it begins the 25th year of outstanding community service.

The club through its past and present distinguished leadership has been involved in every major community health, and/or educational project within the city of San Bernardino and continually strives to identify needs and provide services to the Westside community. For example, during the past 25 years, the club

has raised over \$110,000 and awarded 1,360 scholarships to local high school students.

Over the past 25 years, the Kiwanis Club of Greater San Bernardino has won many local, State, national, and international awards for its 16 projects. Some of the most recent award winning projects include:

Mexicali dental project: A 3-year project that provided complete dental services to children from two orphanages in Mexico. These children had never visited a dentist. The project received the Kiwanis California-Nevada-Hawaii Districts' Single Service Award;

Mexicali Blood Bank: A 2-year joint project with the San Bernardino Sister City Committee to raise funds to establish the first blood bank in Mexicali, Mexico. This project won the Kiwanis' International Single Service Award;

Inland Empire Future Leaders Program: Provides leadership training to local area eighth and ninth grade students. The program offers basic information on college requirements, courses, scholarships, and community resources available. The students are encouraged to network and are followed throughout their high school and college careers returning as group counselors, facilitators, mentors or sponsors of current participants. This project won the Kiwanis' California-Nevada-Hawaii Districts' Single Service Award;

Community Health Fair at Casa Ramona Community Center: Now in its third year, this program offers health services to 1,500 to 2,400 individuals in the heart of the Hispanic community, where health services are almost nonexistent to many recent immigrants. These immigrants are often struggling to meet basic needs—food, shelter, and clothing—and are unable to obtain conventional health services except for emergencies. I join the Kiwanis Club and other community organizations such as the U.S. Navy, the Hispanic News, El Chicano News, KCAI—Spanish language radio—and many public and private agencies in sponsoring the community health fair each year. This project received the Kiwanis International Single Service Awards.

I commend the Kiwanis Club of Greater San Bernardino for its outstanding record of charitable, educational, and public welfare programs.

#### TRIBUTE TO WILMA SWIFT

### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to one of my exceptional constituents, Wilma Swift, who on June 21, 1992, was installed as president of the ladies auxiliary to the Veterans of Foreign Wars Department, State of Ohio.

Wilma began her lifetime membership with auxiliary 7614 in Johnston, OH, 36 years ago. She was president of auxiliary 7614, 1959–60, president of Trumbull County Council Auxiliary, 1976–78, president of district 8, 1965–66. She has held offices and chairmanships on all levels of the auxiliary. In June 1987, she was elected to the office of department guard and has gone through the chairs to her present position of president.

Besides being a dedicated member of the auxiliary 7614, Wilma has also been a highly devoted family member. Wilma and her husband have been married for 44 years and have two daughters and three grandchildren.

I wish to extend my congratulations to Wilma Swift upon her position. Her dedication and hard work have earned her this honor. I wish her well in all she undertakes.

TRIBUTE TO REV. KAZIMIERZ WRONKA

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Rev. Kazimierz Wronka for his outstanding contributions to the Polish-American community in Chicago and his work for the independence of Poland. Reverend Wronka, associate pastor of St. Richard's Parish in Chicago, will be celebrating his 25th anniversary in the priesthood on August 6, 1992. A man of great integrity and faith, he is a shining example of standing for the ideals of freedom even when the future appears bleak.

Reverend Wronka was born during the brutal Nazi occupation of Poland and grew up during Communist rule. His family was poor and his father passed away when he was only 2. Despite such adversity, Reverend Wronka pursued his education and the calling of his Catholic faith. After his ordination on August 6, 1967, he fulfilled pastoral duties for the Archdiocese of Lubin despite the severe constraints on religious liberty imposed by the Communists.

An invitation by an old friend brought him to the United States in 1974. Since his arrival, he helped alleviate the great need for priests in Polish-American parishes. He has devoted himself to the spiritual and social well-being of the community. Additionally, he continued to actively strive for a free Poland. When Poland finally regained its freedom, President Lech Walesa presented the Gold Cross of Honor to Reverend Wronka for his outstanding work in the priesthood and in the Polish freedom movement.

I am pleased to recognize the achievements of Reverend Wronka both in his 25 years as a priest and his contributions to the cause of freedom in his native land. I urge my colleagues to join me in saluting Rev. Kazimierz Wronka. I wish him and his parishioners good fortune in years to come.

SILVER SPRING, MD, CELEBRATES SESQUICENTENNIAL

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mrs. MORELLA. Mr. Speaker, I would like to bring to the Congress' attention the 150th anniversary of the founding of Silver Spring, MD.

The story of Silver Spring's origin, dating back to 1842, has become local legend. One

day while Francis Preston Blair, a leading Maryland statesman and newspaper editor, was riding in the countryside with his daughter Lizzie, he was thrown from his horse, Selim. Exasperated, he proceeded to chase his horse into a valley studded with pines and rich undergrowth. To his surprise, Blair found his horse in the high brush that enclosed a spring sparkling in the sunshine. Parched, F.P. Blair drank from the spring. Enthralled by the lovely pines and gurgling brook, Blair immediately decided to purchase the land, nearly 400 acres, surrounding the spring. Soon after, Blair and his family moved from Washington and made Silver Spring their new home. Their home became a favorite summer retreat for influential Washingtonians, including at least four Presidents, among them Abraham Lincoln.

In the following decades, Silver Spring's local prominence blossomed into a national reputation. Confederate Gen. Jubal Early selected Silver Spring as a staging area for a raid on Washington. Confederate miscalculations, and, as local legend has it, the alcohol of the excellent Blair wine cellar transformed the potentially critical raid into a minor skirmish at Fort Stevens. The failure of the Early raid proved to be a turning point in the Civil War.

Its colorful history and ethnic diversity has given Silver Spring a special personality among Washington's suburbs. One of Montgomery County's oldest suburbs, Silver Spring is the home of the region's first suburban hotel, the Holiday Inn on Georgia Avenue, and its first shopping center. In recent years, as the historic B&O Railroad line has been supplemented by suburban Metro transit, Silver Spring has grown into Maryland's second largest city.

On the occasion of the anniversary, the Silver Spring Urban District and the Silver Spring Sesquicentennial Committee have organized a very fitting tribute to Silver Spring—a series of Friday evening concerts through July and August at City Place Park, just a short distance from the original silver spring discovered by Francis Blair.

BRAVO DOME PLANT

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. RICHARDSON. Mr. Speaker, northeastern New Mexico has one of the largest known concentrations of carbon dioxide in the world. The Amoco Production Co. has successfully drilled and marketed this carbon dioxide for the past 12 years while striving to preserve the natural landscape and enriching the economy of the surrounding communities.

I recently had the pleasure of touring the plant at Bravo Dome plant facilities of the Amoco Production Co. in Clayton, NM.

I urge my colleagues to update themselves on the production, history, operation and results of the Amoco Production Co. by reading the following information provided to me by Amoco.

Five years ago, Amoco Production Company began producing carbon dioxide gas

from a half mile below the grasslands of northeastern New Mexico.

The demand for carbon dioxide came from oil companies seeking to use the gas to recover more crude oil from maturing oil fields 200 miles away in the Permian Basin of West Texas and southeastern New Mexico.

In the first 60 months of production, some 533 billion cubic feet of the carbon dioxide gas were sold from the unit. Put another way, the volume sold from the Bravo Dome Carbon Dioxide Gas Unit and shipped to the Permian Basin would fill 9,190 Houston Astrodomes.

Along the way, more than \$28 million in royalties have been paid to some 2,000 royalty owners, many of whom live in New Mexico.

Amoco Production Company is the unit operator and has day-to-day operation responsibilities for Bravo Dome. Amoco owns a 74.5 percent working interest in the unit, which means it is responsible for paying that percentage of the total unit costs. Thirty other working interest owners—companies and individuals—share the remaining working interest in the unit.

Sales from the unit have increased every year since 1984 and averaged 365 million cubic feet per day during 1988. Carbon dioxide sales for 1989, however are expected to be lower. That's because only a few enhanced oil recovery (EOR) projects have been initiated in West Texas during the past three years, and because existing projects are—as expected—using less purchased CO<sub>2</sub> as the projects mature.

Amoco officials believe that eventually crude oil prices will stabilize at a point where additional EOR projects would be initiated. At that time, drilling in Bravo Dome will likely resume.

The long-term demand outlook for carbon dioxide is encouraging, and Amoco expects production to continue for another 30 years.

BACKGROUND

The Bravo Dome Carbon Dioxide Gas Unit covers more than a million acres in portions of Union, Harding, and Quay counties. It runs 49 miles east-to-west and 50 miles north-to-south. Underneath is a domal structure known by geologists as "the Bravo Dome."

The colorless, odorless carbon dioxide at Bravo Dome is found in sandstone, overlain by a sealing cap of anhydrite.

CO<sub>2</sub> in northeastern New Mexico was first commercially developed about the time of World War II for dry ice manufacturing. Some of these operations are still in existence.

In the 1950s, Amoco began researching the relationship between carbon dioxide—the simple compound of carbon and oxygen—and crude oil at its research lab in Tulsa, Okla.

In 1971, many companies—including Amoco—began acquiring acreage in northeastern New Mexico. At the same time, Amoco began applying its research efforts to CO<sub>2</sub> pilot projects in West Texas.

The Bravo Dome Carbon Dioxide Gas Unit became effective on Nov. 1, 1980: following approval by royalty owners, working interest owners, the New Mexico Commissioner of Public Lands, the New Mexico Oil Conservation Division, and the United States Geological Survey.

The unit was formed to achieve the most efficient and equitable development of carbon dioxide and to minimize surface impact on the unit area. Some 42 wells were drilled before the unit became effective. Development activity then increased rapidly. Today the well total—productive wells, dry holes, and disposal wells—is 391.

A few years ago, the Bravo Dome Carbon Dioxide Gas Unit was thought to hold about 10 trillion cubic feet of gas. The development activity at Bravo Dome has increased the gas-in-place estimates to 12 trillion cubic feet, one of the largest known concentrations of CO<sub>2</sub> in the world.

In addition to the largest amount of carbon dioxide available in northeastern New Mexico, there are three other advantages: the CO<sub>2</sub> is at a relatively shallow depth (average well depth is 2,318 feet); it's essentially pure (99.8 percent) and it's relatively close to the Permian Basin, where the largest market exists.

#### TODAY'S OPERATIONS

Some 260 wells currently produce the carbon dioxide gas at Bravo Dome. In addition, there are 111 other wells that are shut in, pending increases in demand.

As an example of the technology used at Bravo Dome, each producing well can be opened and closed by remote control. The solar-powered remote terminal units (RTUs) also allow continuous monitoring of data from each well. The RTUs transmit temperatures and pressures by radio and microwave to the Amoco plant operation center and the main office in Clayton. Amoco personnel there are able to check for well problems by comparing the data.

The carbon dioxide gas travels from the wells via underground gathering lines to the conditioning plant on Highway 420 (formerly Highway 65) in the southern part of Union County, about 50 miles south of Clayton.

The plant removes water and compresses the gas for shipment into sales pipelines that lead to the Permian Basin oil fields. There, CO<sub>2</sub> is injected a mile below the surface into oil-bearing reservoirs that have been producing since the 1930s.

The CO<sub>2</sub> enhances oil production by mixing with and displacing crude oil from the pore spaces of the reservoir rock. No enhanced oil recovery technology now known will do a significantly better job.

#### RESULTS

Through the end of 1988, Amoco and the 30 other working interest owners had spent more than \$300 million at Bravo Dome. That includes money for drilling, plant and gas gathering facilities, operations, and maintenance.

In the category of state and county taxes paid, Bravo Dome provided \$18.4 million through 1988. Some \$8.7 million of that was for severance taxes, while \$7.3 million was for school taxes. Another \$2 million was for ad valorem taxes and about \$400,000 was for conservation taxes.

Royalty payments to individuals, the state, and the federal government from Bravo Dome operations averaged about \$5.8 million a year during 1985-88.

Company tabulations indicate that less than 1/25th of one percent of the carbon dioxide brought up from below the ground as Bravo Dome has been lost in operations—from repairs in the field, testing, or plant shutdowns—during the entire life of the project.

Amoco Production Company has built about 500 miles of road throughout the unit, and installed hundreds of cattle guards. Amoco has also conducted many plant tours for local residents and other visitors. People are encouraged to come by any time during the day.

Given the mutual benefits of carbon dioxide production to royalty owners, working interest owners, and area residents, Amoco Production Company intends to continue its

record of production in the safest, most efficient manner possible.

#### TRIBUTE TO BILL BICE OF WAVERLY, OH

#### HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. McEWEN. Mr. Speaker, I rise today to pay tribute to Mr. Bill Bice of Waverly, OH. He is a true example of courage that we all can admire.

While driving home from Columbus one night in late June, the 23-year-old Mr. Bice heard a loud boom. Looking in his rearview mirror, he saw a car sliding off the road in flames.

Trapped inside was Ms. Nancy Showers. Bice parked his vehicle and ran back to the burning car.

"The only thing I was concerned with was getting her out," Bice said. "I wasn't worried about getting hurt."

Ignoring his own safety, he pulled her from the flaming vehicle and carried her 100 feet to safety. There he tended to Ms. Showers until medical personnel arrived.

"Anyone would have done the same thing," Bice said.

Mr. Speaker, contrary to what this modest young man said, not just anyone would have done the same thing. Bill Bice placed himself in harm's way to save a total stranger. He is a hero in the truest sense of the word, and Ohio and all America can be proud of him.

#### TRIBUTE TO COACH BILL HAMANN

#### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. SKELTON. Mr. Speaker, it is with personal pleasure that I rise today to congratulate Bill Hamann, of Lexington, MO, for his induction in the Missouri Football Coaches first class of Hall of Fame members on July 25, 1992.

Mr. Hamann was a football coach in Odesa, MO, from 1940 to 1942, having winning seasons—7-1 and 6-2—both years before serving in the Navy for 4 years. After returning from the Navy, Mr. Hamann went to the University of Missouri in Columbia, MO, to work on his master's degree. There he ran into the coach from Lexington, MO, Chuck Moser, who said that he was vacating the position. Having seen the Lexington Minutemen football team lose a game to Marshall, MO, 50-0, and knowing that the team had not won a game in two years, Mr. Hamann nevertheless accepted the coaching position. The Lexington Minutemen won every game that Mr. Hamann coached during his first football season in 1946.

Mr. Hamann was the football coach at Lexington, MO, for 22 years. The Minutemen won four conference titles and had consistently successful seasons under his coaching, utiliz-

ing new offense strategies that the other coaches in the conference soon copied. Mr. Hamann retired from coaching football in 1968. He then served as the color commentator for the local radio station from 1968 to 1988 for Lexington football games. His dedication to the Lexington Minutemen over the years has greatly contributed to the team's on-going success.

Bill Hamann is one of three coaches from Missouri's Fourth Congressional District named to the Missouri High School Football Coaches Hall of Fame. Also receiving this honor are Pete Adkins of Jefferson City, MO, and Cliff Cromer of Higginsville, MO. I ask my colleagues to join me in congratulating these men for their much-deserved recognition and their contributions to Missouri high school football.

#### REAL REMEDIES AGAINST UNFAIR TRADE PRACTICES

#### HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. BOEHLERT. Mr. Speaker, I am introducing legislation today, along with my colleagues from New York, Congressmen McGRATH, WALSH, HOUGHTON, SOLOMON, and MCHUGH, to strengthen current law with respect to circumvention of antidumping and countervailing duty orders.

This language is nearly identical to section 425 of H.R. 5100, the Trade Expansion Act, which passed the House—280 for, 145 against—with my support on July 8, 1992. This bill is currently pending in the Senate Finance Committee. Frankly, if the administration had not promised a veto for H.R. 5100, this action today would not be necessary. The House had already responded. I regret the administration's decision to veto. I think it is a mistake.

I found it necessary to rework part of this legislation to permit parties that requested anticircumvention relief under the 1988 law the opportunity to refile. In such cases, the Department of Commerce would consider the record of circumvention already compiled under investigation, but under the legal standards articulated in section 425 of H.R. 5100. This would provide relief to the domestic industry on a more timely basis, and would prevent the foreign producers attempting to evade an antidumping duty order from using a moving target strategy to evade the law.

Congress in 1988, with my support, passed the Omnibus Trade and Competitiveness Act to give the Department of Commerce the tools and authority necessary to protect American industries from foreign predatory pricing and dumping techniques designed to drive U.S. manufacturers out of business.

Sadly, foreign concerns have found methods to circumvent these laws. It is also unfortunate that the U.S. Department of Commerce has been relatively powerless to stop certain flagrant sidestepping of the law. By shifting the manufacture and assembly of parts to phantom factories or screwdriver operations, foreign manufacturers continue to put a product

on the American market at a price lower than production cost or lower than market price. This drives higher quality American manufacturing jobs into extinction, and favors low-level assembly line jobs in the U.S.

For 13 years, the Smith Corona Corp. of Cortland, NY, has been the target of various types of predatory circumvention. The company is the only remaining American portable electric typewriter manufacturer, and has won six separate decisions against its Japanese competitors who have been found guilty of dumping under United States antidumping laws. I have worked with the company during these years to urge the Department of Commerce to vigorously enforce these laws, and stave off millions of dollars in unnecessary and arbitrary legal fees.

But the time is running out. A legislative remedy is warranted, and too many industries across the Nation are at stake. This correction, clarification, or empowerment bill is necessary to direct the Department of Commerce to review patterns of trade and manufacturing, close loopholes in the trade law, and require fair competition.

We should never cede manufacturing industries to other nations. We cannot allow anti-fair-market trade practices by foreign companies to devastate and dislocate American jobs and manufacturing interests. We must put forth real remedies against unfair trade if we are to promote U.S. workers and manufacturing.

TRIBUTE TO MAJ. GEN. RICHARD  
F. GILLIS

**HON. RICHARD RAY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 28, 1992*

Mr. RAY. Mr. Speaker, I rise today to congratulate Maj. Gen. Richard F. Gillis on a job well done during his 37 years in the U.S. Air Force, the last 4 of which have been at Robins Air Force Base, GA.

General Gillis has had a long and distinguished career in the Air Force. He entered the Air Force in 1954, and is a command pilot with more than 5,000 flying hours. His military awards and decorations include the Distinguished Service Medal, Legion of Merit, Meritorious Service Medal with oak leaf cluster, Air Force Commendation Medal with two oak leaf clusters, Combat Readiness Medal, National Defense Service Medal, and the Vietnam Service Medal with five service stars.

I have had the opportunity to work closely with General Gillis for the last 4 years during his tenure as Commander of the Warner Robins Air Logistics Center [WRALC]. General Gillis' service as Commander of the WRALC has been marked by many changes in the Air Force. The Air Force Logistics Command [AFLC] has been merged with the Air Force Systems Command [AFSC] to form the Air Force Materiel Command [AFMC]. WRALC will be an integral part of this merger and General Gillis has prepared WRALC for this change.

I am particularly proud of the positive relationship General Gillis has helped foster be-

tween the WRALC and the local Warner Robins community. As the defense budget continues to decline, and personnel reductions continue, community support is critical. I look forward to this legacy continuing.

General Gillis will retire on July 31, 1992, and I join his many lifelong friends in wishing for him and his lovely wife, Vera, much happiness in their future endeavors.

COMMEMORATIVE HONORING  
SENATOR FREDERICK MALKUS

**HON. C. THOMAS McMILLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 28, 1992*

Mr. McMILLEN of Maryland. Mr. Speaker, I rise today to honor a man who has devoted the whole of his adult life to serving the public. Senator Frederick C. Malkus, Jr. turned 79 on July 1, and when the Maryland General Assembly reconvenes in January 1993, he will become the most senior State legislator in the United States, with 47 years of experience. This type of devotion by a public servant definitely deserves our praise.

Senator Fred Malkus began working for the public good during World War II when he served in the U.S. Army in Germany. It was during this time in his life that he decided a life of public service was what he wanted to pursue. He looked to Franklin Roosevelt as a role model to emulate, and decided he was going to be the kind of public servant that put people first, and fought for the values and needs of the people that he was representing.

Senator Malkus has preached a philosophy of fiscal pragmatism, fighting hard for programs that he felt were beneficial to his constituents, and vigorously opposing funding projects that he felt were wasteful, or not properly thought out. The most notable example of this dedication to financial responsibility came in 1976 when he and 21 other senators staged an 8-day filibuster in an attempt to halt the funding of the Baltimore subway system. This measure eventually passed, but it is the alternatives to the subway that he and his associates put forward in 1976, that are now being looked to as solutions to the commuting problems in the city of Baltimore.

I want to extend both my thanks, and the thanks of the people of Maryland, to Senator Malkus. His dedication to the public has been a shining example to all of us in public office as the way a representative of the people should conduct himself. His commitment to work for the State of Maryland for the past 47 years has made Maryland a better place, and it is a pleasure for me to rise today and say thank you.

SALUTE TO PHIL BOWMAN; RECIPIENT OF THE OHIO COAL MAN OF THE YEAR AWARD

**HON. BOB McEWEN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, July 28, 1992*

Mr. McEWEN. Mr. Speaker, it is a pleasure for me to rise today to recognize the outstand-

ing achievement of Mr. Phil Bowman, vice president of Waterloo Coal Co. located in Jackson, OH. Mr. Bowman was recently awarded the Ohio Coal Man of the Year by the Ohio Mining and Reclamation Association for his outstanding business and community leadership.

Honoring coal industry leaders, the Ohio Coal Man of the Year award is given annually, by the Mining and Reclamation Association, to an individual who, through their hard work and dedication to Ohio coal, demonstrates outstanding business as well as community leadership. This award applauds the worthy efforts of it's recipients.

Mr. Bowman was the youngest board member of the OMRA when first appointed to the board in 1974. While serving as president of the R.A. Eberts Co., as vice president of the Waterloo Coal Co., and as a member of the board on trustees of the Holzer Medical Foundation and the Oak Hill Community Medical Center, Mr. Bowman illustrated an earnest dedication to Ohio coal and community affairs. Attributing his success to his grandfather, C.A. Bowman, founder of the Waterloo Coal Co. in 1934, his father, Harold Bowman and his partners, Mr. Bowman pledged to continue to represent the Ohio coal industry to the best of his abilities.

Mr. Speaker, I would like to echo the Ohio Mining and Reclamation Association's recognition of Mr. Bowman's hard work and dedication to Ohio coal and his community. Finally, I look forward to working with Mr. Bowman, to promote the use of our Nation's most abundant natural fuel resource: Coal. For the benefit of all my colleagues, I commend to your attention the following article from the July 20, 1992, edition of the Jackson Journal-Herald.

[From the Jackson Journal-Herald, July 20, 1992]

HE'S OHIO COAL MAN OF THE YEAR

Phil Bowman has been responsible for many positive community projects over the years, but now he has also been recognized for his outstanding efforts in his professional field.

Bowman, president of R.A. Eberts Co., Inc. and vice-president of Waterloo Coal Company, was named "Ohio Coal Man Of The Year" by the Ohio Mining and Reclamation Association (OMRA) at its annual meeting last month in Columbus.

Neal S. Tostenson, president of the OMRA, presented the award to Bowman, who was recognized for his outstanding leadership, not only with R.A. Eberts and Waterloo Coal Company, but in his community.

"I am very honored to be selected as Ohio Coal Man Of The Year," said Bowman, who was the youngest board member of the OMRA when first appointed to the board in 1974.

"I hope that I can live up to the standards set by others who have been selected Ohio's Coal Man Of The Year and I pledge to represent the Ohio coal industry to the best of my ability," promised Bowman.

"It is my belief that many of Ohio's widespread economic problems can be reduced by the production and clean burning of Ohio coal," he continued. "It is also imperative that Ohio utilities make Ohio coal part of their compliance plan for the 1990 Clean Air Act amendment."

Bowman also credited his family ties to the coal industry for helping to such an honor.

"I must give credit to my grandfather, C. A. Bowman, founder of Waterloo Coal Company in 1934, and father, Harold Bowman, as well as my partners, Bill Parks and Larry Darlington," he added. "The long relationship with devoted and faithful employees must also receive credit for this honor and it is with humble appreciation that I accept this award."

Bowman is on the Board of Trustees of the Holzer Medical Foundation as well as the Oak Hill Community Medical Center. He is currently serving a four-year term as the Jackson County Republican Party Executive Committee chairman.

Waterloo Coal Company also received recognition at the annual statewide meeting when it was presented with the Greening of the Lands award for those dealing with less than 25 acres.

But there were still more awards for Jackson County at the meeting.

Brenda Arthur-Weber, a vice-president of Sands Hill Coal Company, Inc. was named "Ohio Reclaimer Of The Year" by the OMRA. She was recognized for her outstanding leadership and contribution to reclamation of mined lands in 1991.

A special President's Award was presented to Sands Hill Coal Company for Overall Achievement in Reclamation and Mine Management in 1991.

R.A. Eberts Co. Inc., Waterloo Coal Company and Sands Hill Coal Company are all located in Jackson County and all mine in Jackson and Vinton counties.

#### TRIBUTE TO PAUL G. CANO

##### HON. BILL BREWSTER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. BREWSTER. Mr. Speaker, I rise today to pay tribute to a young man who was well known to Members of this body and whose apparent murder underscores the appalling crime that is rampant within our Capital City.

Paul G. Cano was director of government affairs for the American Society of Consultant Pharmacists. He was the epitome of everything a lobbyist should be. He was honest in his actions, sincere in his belief, warm in his personality, qualified for his work and eager to assist.

He started his career in Washington the summer of 1984 as assistant staff director of the U.S. House of Representatives Education and Labor Subcommittee on Employment Opportunities. In that committee staff work, he had primary responsibility for reviewing and overseeing employment and training legislation.

Two years later he joined the American College of Cardiology as assistant director of government relations until March, 1989, when he became Director of government affairs for the American Society of Consultant Pharmacists.

He was a member of the American League of Lobbyists and served on the government relations section council of the American Society of Association Executives. He received his BA in political science with a public service emphasis from the University of California at Santa Barbara.

Paul Cano was no stranger to this city. Although Paul Cano was a native of Los Ange-

les, he had lived and worked in Washington for more than 8 years. He knew the ways of the city.

On the morning of July 12, 1992, Paul disappeared. The condition of his apartment indicated he planned to return. A week later his car was found abandoned and partially burned. Finally more than 2 weeks after his disappearance, Paul Cano's body was found in a little used area of a Washington park. Apparently he was killed shortly after his disappearance.

Mr. Speaker, my deepest sympathy goes to the family of Paul G. Cano. Few can know the heartache they have suffered during the past 15 days. Life for this family was a roller coaster ranging from the joys of reported live sightings to despair and depression when those sightings proved false. Finally, the worst fears of the family have been confirmed.

We all know that death is in our future. We expect to face the loss of grandparents and older relatives. We are even somewhat prepared for the loss of parents and to the possibility of losing our spouse. But, no one can prepare to lose a child. It is a completely unnatural act.

It seems so useless when the loss is of a young person who is in the prime of life. The loss is compounded when death comes from criminal violence such as the conditions that claimed the life of Paul G. Cano.

Mr. Speaker, I hope the Congress will help this family in their sorrow. I hope we will make his death more meaningful. Paul G. Cano is not the first to die a violent death in this city—and unless something is done—he will not be the last.

Paul Cano's death should be the "straw" that makes us cry "Enough!"

#### THE HOSPITAL COST DISCLOSURE ACT OF 1992

##### HON. JIM MOODY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. MOODY. Mr. Speaker, I rise today to introduce the Hospital Cost Disclosure Act of 1992. This legislation will allow consumers to obtain currently hidden information about the costs of their treatment at our Nation's hospitals.

Earlier this year, "Prime Time Live" ran a story on the markup of prices at Humana, Inc.'s Louisville, KY area hospitals. The program showed that in 1990 the markup at those hospitals was 124 percent compared to an average of 54 percent at non-Humana hospitals. Just last week, Humana announced that they are lowering their charges by as much as 35 percent. The headline in the Louisville Courier-Journal reads: "Humana, stung by criticism, cuts prices at area hospitals."

The bill I am introducing today would require the same type of information to be made public for all hospitals. It would allow patients to learn the true cost of their treatment at a hospital. At a patient's request—or at the request of the entity making payment for the care—the hospital would be required to produce an itemized list of services provided, hospital charges,

and the cost to the hospital of providing each service.

It is time for us to look behind hospital bills. How much does an aspirin, for which we are charged \$8, really cost a hospital? Of course the overhead is higher in a hospital than in a doctor's office or a drugstore and therefore costs will be higher, but how much higher is reasonable.

Let consumers obtain the facts and then the hospitals can justify their huge markups. American consumers deserve to know where our health care dollars are going. If one news story can force a profitmaking chain of hospitals to cut prices 35 percent, then requiring all hospitals to make this information available could have dramatic effect on health expenditures.

This bill is certainly not the ultimate answer to the U.S. health care crisis and I would never argue that it is. However, not everyone in Congress—and certainly not the President—is willing to take a position on health care reform.

As most people know, I strongly support passage of a single payer health care system as the best answer for America. But, until we develop the political will to actually sign such a proposal into law, the Hospital Cost Disclosure Act of 1992 will help expose the inherent waste of today's health care system and, if the Humana example is repeated, it has the potential to provide significant savings to American consumers. It is a step in the right direction and I urge my colleagues to join me in this effort.

#### CREDIT AVAILABILITY ACT OF 1992

##### HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. McCOLLUM. Mr. Speaker, the access to credit through healthy lenders is fundamental to the expansion of our economy. Although, recent thrift legislation was intended to restore the safety and soundness of those critical credit providing institutions, it contains some provisions which, without refinement, run the risk of unnecessarily limited credit availability. For this reason, today I introduced the Credit Availability Act of 1992.

Because of unanticipated changes in the health of the economy and the real estate sector, provisions of the Financial Institutions Reform, Recovery, and Enforcement Act of 1992 [FIRREA] affecting nonconforming real estate subsidiaries will reduce thrifts' ability to lend. My legislation, consistent with the intent of FIRREA, will help to foster a safe and well capitalized thrift industry by ensuring that unnecessary regulatory restrictions and current economic conditions don't restrict thrifts' ability to make good quality loans.

As currently in effect, FIRREA requires thrifts to deduct 100 percent of their real estate subsidiary loans and investments from capital by July 1, 1994. Already they must deduct 25 percent of the investments. That amount was to have increased to 40 percent this past July 1, but the increase was recently postponed to November 1, 1992, by Con-

gress. However, this delay does not resolve the problem posed by FIRREA but only provides us additional time to resolve it.

My bill authorizes the Office of Thrift Supervision [OTS]—in extraordinary circumstances and after consultation with the Federal Deposit Insurance Corporation [FDIC]—to grant thrifts, temporary and limited relief from increased capital set-aside requirements for real estate subsidiaries. Only thrifts that are well managed, are complying with all other rules and regulations, and would pose no risk to the insurance fund will be eligible. Any exceptions could not extend beyond July 1, 1997, and must require that at least 25 percent of thrifts' investments in these subsidiaries continue to be deducted from capital.

OTS has identified 324 thrifts which, as of December 31, 1991, had capital yet to be deducted due to nonconforming subsidiaries. Freezing the deduction at 25 percent would allow these thrifts to provide up to an additional \$30 billion in loans to the economy. This is because thrifts need about \$8 to \$10 in capital for every \$100 of loans they want to make. In addition, freezing the deduction would probably prevent some thrifts that are already short of capital from requiring regulatory intervention or even becoming insolvent. Thus, instead of having to restrict their lending activity or failing and leaving the market, they could continue serving borrowers.

The real estate subsidiary problem affects thrifts which hold nearly half the industry's assets—\$407 billion. One such thrift, Community Savings, F.A. of North Palm Beach, FL, recently testified before the Subcommittee on Financial Institutions about the effect of divesting its nonconforming real estate subsidiary on performance. Community Savings has deducted \$3 million from its capital to achieve the 25 percent divestment requirement of FIRREA. It faces another \$9 million writeoff before it will have fully divested its subsidiary. The CEO pointed out in his testimony that not only will this prevent Community Savings' achieving its reasonable expectation of becoming profitable, but also will ultimately lead to its falling out of capital compliance.

The amount of thrift industry assets held by those thrifts with nonconforming subsidiaries makes it very important that the industry's restoration to safe and sound condition be accomplished without tying the regulators' hands in every detail. Credit must remain available to encourage economic growth at the same time as taxpayer costs in closing failed thrifts are reduced. This bill upholds the intent of the Congress to ensure that the thrift industry is well capitalized and well managed while encouraging the availability of credit.

The following is the text of my bill and a section-by-section analysis explaining its provisions:

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Credit Availability Act of 1992".

#### SEC. 2. TEMPORARY, LIMITED EXCEPTION TO CAPITALIZATION RULE TO ENHANCE CREDIT AVAILABILITY.

Section 5(t)(5) of the Home Owners' Loan Act (12 U.S.C. 1464(t)(5)) is amended by add-

ing at the end the following new subparagraph:

"(F) EXCEPTIONS GRANTED BY DIRECTOR.—

"(i) IN GENERAL.—After consultation with the Corporation, the Director may grant such temporary, limited exceptions to the applicability of subparagraphs (A) and (D) to the eligible amount of a savings association's investments in, and extension of credit to, any subsidiary that is engaged in real estate activities, as the Director determines to be necessary and appropriate if—

"(I) the Director determines that extraordinary circumstances exist, or that adverse economic conditions exist at the national, regional, or local level;

"(II) the Director determines that the savings association meets the standards established for the approval of an exemption under paragraph (7)(C)(i); and

"(III) the savings association is not subject to an order issued by the Corporation under subparagraph (D)(iii) which is inconsistent with the grant of an exception under this subparagraph.

"(ii) ELIGIBLE AMOUNT.—The amount eligible for the exception under this subparagraph is limited to the amount of the savings association's investments in, or extensions of credit to, the subsidiary as of April 12, 1989, and any subsequent amounts invested or credit extended to complete projects or investments that were initiated by the subsidiary before April 12, 1989.

"(iii) MINIMUM DEDUCTION.—In granting any exception under this paragraph, the Director shall require the savings association to deduct from capital at least 25 percent of the eligible amount.

"(iv) ALTERNATIVE SCHEDULE FOR DEDUCTIONS FROM CAPITAL.—The Director shall establish, as a condition for granting any exception under this subparagraph for any savings association, a requirement that the savings association shall comply with such alternative schedule as the Director may prescribe for deducting the association's investments in and extensions of credit to subsidiaries covered by the exception.

"(v) TERMINATION OF AUTHORITY.—No exception under this subparagraph shall be effective after July 1, 1997."

#### SECTION-BY-SECTION ANALYSIS—THE CREDIT AVAILABILITY ACT OF 1992

##### SECTION 1. SHORT TITLE

The Credit Availability Act of 1992.

##### SECTION 2. TEMPORARY, LIMITED EXCEPTION TO CAPITALIZATION RULE TO ENHANCE CREDIT AVAILABILITY

The Director of the Office of Thrift Supervision (OTS), after consulting with the Federal Deposit Insurance Corporation (FDIC), is given authority to grant a limited and temporary exception to a provision of the capital requirement of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) for savings associations with investments in or loans to real estate subsidiaries not permissible for national banks.

In order to be able to grant the exception, the Director must determine that either extraordinary circumstances, or adverse national, regional, or local economic conditions exist. The Director must also determine that the exception would pose no significant risk to the deposit insurance fund, that the association's management is competent, that the association complies with all applicable laws, regulations, orders, and supervisory agreements and directives, and that the association's management has not

engaged in any activity endangering the association's capital or health. Concurrently, the association must not be subject to an FDIC order increasing the amount of subsidiary investments and loans the association must deduct from its capital.

Eligible amount—The amount eligible for the exception is limited to the sum of the association's investment in and loans to the subsidiary as of April 12, 1989, and any subsequent amount invested in or lent to the subsidiary for the purpose of completing projects initiated before April 12, 1989.

Minimum deduction—The association is required to deduct at least 25 percent of the eligible amount.

Alternative schedule for deductions from capital—The Director is required to establish an alternative schedule for the deduction of an excepted association's investments and loans to its subsidiaries.

Termination of authority—All exceptions granted by the Director end July 1, 1997, after which date all investments and loans in nonconforming real estate subsidiaries by associations shall be fully deducted from capital.

H.R. 918

HON. RON MARLENEE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Mr. MARLENEE. Mr. Speaker, the Rahall substitute could easily be labeled the "Investment Curtailment and Job Export Act of 1992." If a single bill could kill an industry, could destroy thousands of jobs, this is it.

Many myths have been perpetrated, many misconceptions have been hatched about the 1872 mining law. One myth is that the act is unchanged from when it was passed 120 years ago. In fact, it has been amended 36 times.

This draconian law would damage our national economy three ways: It would force the big companies offshore; rise the price of vital and strategic minerals; and start the ultimate elimination of small and independent mining companies.

It's the small, independent companies which don't have the resources to fight the citizen lawsuit provisions of the Rahall bill. They will be unable to overcome the new hurdles put in front of them.

It's people like Jack Hughes, a 72-year-old man from Billings, MT. He's a veteran of two wars—the first man to enlist in Lewistown after Pearl Harbor. He was nominated for the Legion of Merit and other military honors. In his words, he's now "a cantankerous old man who wants to prospect for minerals without it costing him an arm and a leg."

It's Neil Peterson of Sheridan, MT, who says he and his neighbors depend on mining as an important tax base, an economic underpinning, a reliable employer and a vital force to the folks in the Ruby Valley who can't afford to come to Washington, DC, to lobby against this onerous legislation.

It's Pat Frankl and others like him in Granite County, who see the Rahall bill as an end to their way of life, ripping apart the very social and economic fabric which binds their western Montana community.

It's Barbara and Bill Seybert of Manhattan, MT. They're decent, hard-working, tax paying, children-raising folks who love Montana and want to protect the beauty we were privileged to grow up with.

These little folks and more asked for a hearing. Instead, Mr. Chairman, what we got was your appearance at a Greater Yellowstone coalition meeting, and lip service to a few big companies. It's evident from your substitute you weren't listening to them. With this bill, the environmental activists will get the gold, while the workers of Montana will get the shaft.

Furthermore, Mr. Chairman, I have been advised that Mr. DEFAZIO intends to offer an additional amendment, of an 8-percent gross production royalty on mining on public lands. Any such amendment would cost Montana dearly. Companies as large as Stillwater Mining Corp., which is operating our Nation's sole palladium mine, have stated if the royalty is adopted, they will close their doors. When our economy is already staggering, now is not the time to kill a vital industry and throw thousands out of work.

#### YOUTHSING 1992

### HON. JIM BACCHUS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. BACCHUS. Mr. Speaker, I rise today to applaud the young people of Central Florida whose voices will rise on the first of August to brighten the lives of many other young children. At a time when our youth face so many difficult challenges from drugs to violent crime, it is a pleasure to recognize members of our community who make positive contributions and serve as excellent role models.

Mr. Speaker, the event which I recognize today is YouthSing 1992. On Saturday, August 1, 1992, 200 young people from the Cathedral Church of St. Luke will gather for a 1-day recording session. The proceeds of this compassionate recording will benefit "Give Kids the World," an organization that works with over 150 wish-granting foundations and hospitals around the country.

The marvelous organization, Give Kids the World, was founded in 1986 to help grant last wishes to children who have life-threatening illnesses by bringing the children and their families to the Walt Disney World area to experience a delightful experience along with their families. In May 1989, Give Kids the World opened a Holiday Inn Kids Village which provides free accommodations for 2,500 families each year. In addition to free accommodations, they provide transportation, admission to the area's theme parks, and complimentary

meals to create special memories for the children and their families.

The YouthSing 1992 benefit for Give Kids the World is an excellent example of what our youth can do to assist their communities. We must continue to encourage public service by recognizing young people such as those involved in YouthSing 1992. Positive grassroots efforts, such as YouthSing 1992, will truly make the world a better place.

JOHN P. GILL ASSUMES PRESIDENCY OF ARKANSAS BAR ASSOCIATION.

### HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 1992

Mr. ALEXANDER. Mr. Speaker, John Gill of Little Rock is a friend and classmate of mine at Vanderbilt Law School.

Last month, he assumed the presidency of the Arkansas Bar Association—a well deserved honor.

I can safely predict that John will leave the ABA a better organization than he found it—because that's the way he works.

In an article in this month's edition of *The Arkansas Lawyer*, entitled "Please Don't Call Me 'Mister,'" John writes:

When you call me mister you erect a barrier to professionalism. I lost my young lawyer status two decades ago, but don't call me mister because I still hold dear that young lawyer ideal that you and I are officers of the court, specially educated and licensed by the state to serve others. We can't serve others until we know one another well enough to be on a first name basis.

That, Mr. Speaker, is John Gill. He is dedicated to the law, not because of the material rewards it may bring, but because it embodies the agreed rules by which we live together in this Nation.

And because the law stands as a shield, protecting the freedoms we all enjoy—regardless of our station in life.

John says those in the profession should be proud of their calling. He says that too many lawyers misunderstand Shakespeare's words, quoted from King Henry IV, about first killing all the lawyers.

He correctly points out that it is important to remember that, in context, what was being said is that in order to take over a government, you must first get rid of the lawyers because they are the protectors of freedom.

My friends also wrote that—

As professionals, lawyers are "called to serve others. As professionals we are called first to sacrifice, not to drive a Mercedes. Sacrificing ourselves to solve a problem means joining with our adversary in the search for truth."

I wish I could say that John's philosophy was universally shared by those in the profession. It should be.

John Gill's words are not hollow rhetoric. He practices what he preaches.

He has gone to bat for causes he believes in on a pro bono basis—because he loves the law and believes that it should serve to advance causes beneficial to society.

John says that one of the reasons he wanted to be ABA president was to highlight professionalism among lawyers in our State.

He calls that, at Vanderbilt, "They made [professionalism] an integral part of the curriculum. You knew you were there to learn how to help people."

I wish that all young lawyers were required to spend time in the offices of men like my friend, John Gill.

They would be better for it, the profession would be better for it—and the Nation would be better for it.

I congratulate John Gill and his partner in life, Marjem Gill, on his assuming the presidency of the Arkansas Bar Association.

I will honor John Gill's request not to call him mister—but I will call him a professional. I believe he would like that.

[From Arkansas Lawyer, July 1992]

PLEASE, DON'T CALL ME "MISTER"

(By John P. Gill)

When you call me mister you erect a barrier to professionalism. I lost my young lawyer status two decades ago, but don't call me "mister" because I still hold dear that young lawyer ideal that you and I are officers of the court, specially educated, and licensed by the state to serve others. We can't serve others until we know one another well enough to be on a first name basis. In a disagreement with one of my partners, he said (as we talked it out), "I'm glad we became friends before we became partners."

Only when we have a comradery and a friendship will we have professionalism, because friends don't let friends down. Friends don't mistreat friends. Friendship is not built on lies, me-first, and rudeness. It is unprofessional to lie; it is unprofessional to be selfish; it is unprofessional to be rude. It is unprofessional not to return phone calls the day they are received. It is unprofessional to be egocentric. Although I was born during the centennial of Arkansas statehood, I'm still young enough to remember that this is an honorable profession to which all of us are "called" to serve others. As professionals, we are called first to sacrifice, not to drive a Mercedes. Sacrificing ourselves to solve a problem means joining with our adversary in the search for truth. Calling me "mister" can't help find truth; it only erects barriers.

One of Arkansas' great trial judges, Tom Digby, astounded me some years ago with a notice on his door requiring adversaries in any trial to contact each other and introduce themselves to each other before trial. He told me the notice grew out of lawyers not speaking before trial. How unprofessional can we be not to talk to each other before trial? How do you participate in dispute resolution if you don't talk to your adversary about the dispute and explore its resolution. I'm against mandatory Alternate Dispute Resolution. I'm for voluntary ADR and the professionalism which makes mandatory ADR unnecessary. A hired gun interferes with dialogue and with professionalism. If you're in this profession for money, or for winning, you're in it for the wrong reasons—your own ego. If you concentrate on professionalism, it is my experience that winning and money take care of themselves. Professionals communicate as well with each other as they do with jurors.

Members of the Methodist Church years ago were called "brother" or "sister". While I'm not ready for that, please don't call me minister either. Just call me John and we'll

start off without one barrier to communication. We will have a better Bar, and if I'm in a lawsuit with you, we'll start off without barriers, and begin the brother-sisterhood of professionalism. That doesn't mean I'll settle with you, but it does mean we'll concentrate on the issues, not egos.

**JOHN P. GILL: THE MAN WITH A PLAN, REALLY**  
(By Paige Beavers Markman)

John Purifoy Gill of Little Rock took office as President of the Arkansas Bar Association on June 13, 1992. People surrounding him say he is organized, efficient—that's an understatement. His whole life—lawyering, collecting Arkansasiana (memorabilia from or regarding Arkansas), gardening, writing and community work, is all organized to a tee. Gill Wallace Clayton Fleming Elrod & Green, the law firm he leads, is ready for Gill to be President of the Arkansas Bar Association. If you've worked with Gill at all, you know Desi Gipson, his secretary/right arm. Desi assures us that he has been at work for over a year now preparing for his year at the helm.

#### BACKGROUND

John Purifoy Gill was born in Fort Smith, Arkansas but moved at six weeks of age because his father, the branch manager for Armour & Company, was transferred to Little Rock. His mother was a school teacher who Gill says taught most of the kids in Little Rock. His father eventually was in the insurance and real estate management business. Gill attended Little Rock Schools beginning at Fair Park Elementary, the school from which he now lives up the street. (He says he lives "only four blocks from the house I lived in when I started school, proof positive I haven't gotten very far in life.") He was in the first graduating class from Little Rock Central High.

Gill went on to Hendrix College in Conway, but was awarded a NROTC Scholarship to Vanderbilt in Nashville, Tennessee, after his second year. During his sophomore year at Hendrix he says "Some of us decided we missed Little Rock, so we drove down here and were hanging around the halls at Central High watching the girls go by, and a pretty girl walked by me. I asked a friend who she was and she said 'That's Marjem Jackson,' and I said 'I'd like to have a date with her.'" Marjem Jackson became Marjem Jackson Gill ten days after Gill graduated from law school. Gill, who was reportedly the first person in the United States to enter Law School on a NROTC Scholarship, says he went because "My dad thought it was a good idea."

After finishing law school, Gill entered the Marine Corps as an officer. Gill served in Quantico, Virginia, for three years and then returned to Little Rock to practice law. He remained in the Marine Corps Reserves for 24 more years. He began his law career as Assistant Attorney General, a job he held for two years before going into private practice.

#### PROFESSIONAL AND PERSONAL LIFE

Gill says he's a General Practitioner though he admits that there isn't really such a thing these days. Most of his work is in corporate litigation. He does great deal of complex litigation from the defendant and plaintiff sides and also plays a role in advising corporate boards on legal issues. He recently won an award for trying the "Crater of Diamonds" case about the diamond mines in Arkansas, demonstrating his acumen in environmental law, a growing field in Arkansas and in the nation as well. He says growing up in Arkansas made it easy for him to

try the case *pro bono*. The issue to Gill was Arkansas' self image. He felt that digging a lake out of one of our claims to fame—the Diamond Mines—would not be a positive thing for Arkansans to look back on. "In a lot of ways I think Arkansas has been treated as a third-world type state in that our resources are taken out and value added in other places, which would have been the case with the diamonds. The wealth is being taken out of this state, and I want to help stop that any way I can." Gill feels that Arkansas' self image has always been an unnecessary liability for us, he doesn't think there is any reason for us to have the self image we do. "We have wonderful things in Arkansas, we shouldn't ever have to apologize to anyone."

Gill has also enjoyed handling bond issues. He says that part of his due diligence involves researching the community or area which has afforded him one of his favorite pastimes—learning about Arkansas. Gill's collection of Arkansasiana is truly amazing. At his home in the Little Rock Heights area, you can see his collection of Arkansas woodcarvings. All the pieces are created by Arkansas artists, most subjects being Arkansas-related in one way or another. He also owns the largest collection of Arkansas maps with the exception of that of the Library of Congress. His Arkansas Trout Stamps, Duck Prints, currency, Audubon prints, Courier & Ives Prints and collections of Arkansas explorers' journals and writings is unrivaled. He also has examples of pottery of each of the Arkansas Indian cultures.

Why does he collect all of this? He says he started collecting Arkansasiana when he was in the service, "because I missed home." The interest grew into a hobby that he has virologously pursued and thoroughly enjoys. "I don't go out and search for things like I used to. Now if I hear of something, I'll go take a look at it." Gill is still searching for three "bird's eye views" of Arkansas, one of Little Rock, one of Fort Smith and one of Texarkana.

Unlike many lawyers, Gill does not golf. "It takes too much time," he says. "I prefer to play tennis, and I do quite a bit of gardening." Gardening he does. His home boasts beautiful landscaping and a rose garden surrounding the hot tub they added a few years ago.

Watching John and Marjem Gill together is truly a joy. They are a couple who have been and still are partners in their goals and everyday lives. Totally devoted to one another, they ask each other's advice on everything. Gill helps Marjem with her garden club; she helps him with his collecting. They laugh at each other; they jostle with each other; as a matter of fact, they act like a couple of kids. The couple has three children: Elizabeth, 26, who is married and living in Washington, D.C. working for Fannie Mae, the Mortgage Banker; Ward, 25, who is a First Lieutenant in the Marine Corps stationed at Camp Pendleton, California; and David, 22, a recent graduate of Hendrix who is now working for Snider Telecommunications in Little Rock; Family means a great deal to John and Marjem, obvious through their excitement at the coming weekend when all the children would be home for a wedding. They were scurrying around, making arrangements to make sure everyone would be happy and taken care of.

#### BILL AND THE ARKANSAS BAR ASSOCIATION

John Gill says that one of the reasons he wanted to be President is to try to highlight professionalism among lawyers in our state. He says his feelings about professionalism

come from his time at Vanderbilt. "They made it an integral part of the curriculum. You knew you were there to learn how to help people," says Gill.

He wants lawyers to feel proud of their profession. "Too many lawyers have always heard Shakespeare quoted saying 'First, we kill all the lawyers,' [King Henry IV] and they think it means something bad. Actually, in context what he was saying was that to be able to take over the government, you must first get rid of the lawyers because they are the protectors of freedom. A lot of the young lawyers think it's only important to win—that's baloney—it's only important to protect another's freedom," says Gill.

His plan for the Bar year is complete, concise and well thought out. "This plan is not defensive, it's offensive. I didn't spend 27 years in the Marine Corps learning to retreat," says Gill.

The 'plan' came to the Bar Center in the form of approximately 30 typed pages. The goals and missions are laid out by priority; commentary comes before and after. This would be a good example of what you need if you ever hire someone to analyze your firm and make management suggestions. After reading the plan, I highly recommend John Gill should you ever need this service.

Highlights of his priorities include:

I. Facilitating the Practice of Law. This will include developing an advisory ethics opinion program, beginning a mentoring program for young lawyers, fee dispute arbitration and revamping the referral fee ethics to encourage referrals. Also, the Young Lawyers Section would be responsible for writing a Consumer Law Handbook. There would be an expansion of AMI for all routine tort cases and the development of value billing. The Association would publish annual updates of its handbooks and systems.

II. The Legal Profession. Priorities under this category include mandatory periodic professionalism courses for all attorneys, requiring 1 hour CLE on ethics each year, monitoring Professional Conduct Committee efficiency and having an audited verification of Lawyer Trust Accounts. There would also be a public service program on the necessity for obeying the law as a citizen's first duty, a revision of the code of professionalism and the establishment of legal advertising guidelines.

III. Unfinished Business—Modernization of the Arkansas Judicial System. Gill says we need state funding of the judicial system, non-partisan election of judges and criminal procedure reform. He wants to look at judicial campaign financing, judicial redistricting and compensation.

IV. Bar Organization. Establishing a permanent hot line for disaster/emergency relief is a priority along with an In House Counsel Section. Gill would like to see a Harold Flowers Section and a Women Lawyers Section. He wants to expand Bar Association office space, develop a Trial Notebook and a yearly calendar. The Association staff will use recycled paper and serve health food at luncheon meetings, do extensive promotions on form books, insurance and other Bar services.

A principal thrust of his emphasis is developing young lawyers in the profession, a matter on which he has already begun work.

Some of these things will take legislation, others will take legislation, others will take Supreme Court Rule. A lot of these things will take the hard work and cooperation of all Arkansas attorneys. I had to ask John Gill, "Don't you think you've set some lofty goals? Are you trying to set the world on

