

HOUSE OF REPRESENTATIVES—Thursday, April 2, 1992

The House met at 10:30 a.m.

The Reverend Walter H. Moeller, Santa Barbara, CA (former Member of Congress from Ohio), offered the following prayer:

Righteousness exalteth a nation; but sin is a reproach to any people.—Proverbs 14:34.

Eternal Father God, ruler of nations and peoples, we come before Your throne this day, humbly seeking Your blessing to do that which is pleasing in Your sight. Open our eyes to see the plight of our fellow men; to defend the aggrieved in their injustices and secure the well-being of all mankind. Give us patience in trials and sound judgment in the moments of decision.

Show us the ways of righteousness and help us avoid that which displeases You. May those who sit in this Chamber to perform the functions of their duties and those gone forth from this place, in concert with them, seek to do Your will. We ask in the name of Him, the Lord our righteousness, Jesus Christ. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. DUNCAN led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.J. Res. 410. Joint resolution designating April 14, 1992, as "Education and Sharing Day, U.S.A."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 120. An act for the relief of Timothy Bostock; and

S. 800. An act for the relief of Carmen Victoria Parini, Felix Juan Parini, and Sergio Manuel Parini.

THE ETHICS COMMITTEE AND FAIRNESS

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

Mr. EARLY. Mr. Speaker, this morning's paper, the Worcester Telegram, the largest newspaper in my district, reported that I reacted to some charges of the Ethics Committee to an empty House.

The Worcester Telegram is absolutely correct, because in a very unprecedented action, Mr. Speaker, the Ethics Committee, which I have never seen them do, made a report after the House had recessed and gone into special orders, so the only opportunity I had was to an empty House.

Mr. Speaker, I can accept the Ethics Committee having a tough job and they have to make decisions, but I am going to ask the Speaker, I want 20 minutes with the Ethics Committee today, not in special orders to an empty House, but during the session. I want 1 hour just for JOSEPH D. EARLY to answer to what I am accused of. I want the three Democratic members, so it will not be a partisan thing, merely to come in and let me ask them questions why I am on this list, and Mr. Speaker, I urge them to ask me any question they want.

I congratulated the Speaker yesterday when I told him that the Ethics Committee was going to in a most unusual manner have the subcommittee directly report to the House, and I would suggest I use parliamentary procedures, and they did not want to do that. They then went to the full committee, and I asked the Speaker to give me due process.

The Speaker did call and the gentleman from Illinois [Mr. MICHEL] did call on behalf of another Member; but they opted not to let us testify; after the subcommittee had voted 3 to 3 to take me off the list, they opted not to let me testify before the full committee.

Last night and at no other time in the history of this Congress did they do it in a special order.

I ask the Speaker to get the Democratic three members of the Subcommittee on Ethics and give me just 20 minutes today and let them embarrass me even more, if they can, but let me at least present what I think about the actions of yesterday.

AID FOR OUR OWN PEOPLE

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

Mr. DUNCAN. Mr. Speaker, some people imply that we almost have to aid the former Soviet Union now, because we had the Marshall plan after World War II; however, the situation is very different today.

After World War II, this Nation was not \$4 trillion in debt. We were not losing \$1 billion a day on top of what we already owed.

We have already committed, without a vote of Congress, over \$6 billion in aid. We cannot afford to send more. We are spending money we do not have.

I wonder what nation will send billions to us when we collapse economically, which we surely will if we keep spending money like there is no tomorrow.

It is not isolationist to oppose sending many billions more to Russia. I think we should be friends with every nation that will let us, but the time of buying our friends should be over. We need to send our best advisers and help other nations all we can, but we need to tell them that we just do not have huge amounts of money to send anymore. We are broke ourselves.

The media will imply that those who support aid are generous, forward looking, and intelligent. They will imply that those who oppose this are stingy, shortsighted, and reactionary, but we have got to stop doing things like this unless we want someday to see our own people go through what the Soviet people are going through now.

A BETTER USE OF STRATEGIC PETROLEUM RESERVE ALLOCATION

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

Mr. MCEWEN. Mr. Speaker, I rise to bring the attention of the House to a piece of legislation I introduced some weeks ago directly related to the question of aid to the Soviet Union, and in response to the President's statement of yesterday.

In this year's budget agreement, we have allocated \$660 million for strategic petroleum purchases to place oil reserves in the strategic petroleum reserve in case of a cutoff of supplies to our country. Because of the results of the leadership of this Nation last year in Desert Storm, it is apparent that the threat of an oil embargo is not as

□ 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.

imminent as it once was, that at least for the next 24 to 36 months we have an opportunity to have continued supplies of oil.

Therefore, my legislation suggests this, that what the President of the United States would be able to do this year is to not increase taxes and to not increase spending, but take the \$660 million presently allocated to the strategic petroleum reserve to purchase food stuffs with it from American farmers and supply that to the Soviet Union immediately. That gives them what they need forthwith. It helps American farmers. It does not increase the debt, and then this is the agreement, that the Soviet Union which has a larger petroleum reserve than Saudi Arabia, that the Soviet Union would then repay the American taxpayers the \$660 million sometime over the next 3 to 5 years in oil reserves to the strategic petroleum reserves.

In other words, instead of this year taking American tax dollars and buying Arabian oil, what we would do is buy American farm products, give them to the Soviet Union in return for Soviet oil.

RECESS

The SPEAKER. Pursuant to the order of the House of Thursday, March 26, 1992, the House will stand in recess, subject to the call of the Chair, to receive the former Members of Congress.

Accordingly (at 10 o'clock and 38 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1100

RECEPTION OF FORMER MEMBERS OF CONGRESS

The Speaker of the House presided.

The SPEAKER. On behalf of the Chair and the Chamber, I consider it a high honor and distinct personal privilege to have the opportunity of welcoming so many of our former Members and colleagues as we have the honor to receive today.

This is always a pleasant occasion for all the Members and former Members, and the Chair is delighted to extend its warmest welcome to all, to our special guests, the former Speaker of the House, Jim Wright, and also the distinguished Secretary of Defense, Dick Cheney, who is the special honoree of today's meeting.

The Chair recognizes the majority leader.

Mr. GEPHARDT. Mr. Speaker, on behalf of all of our Democrats, I want to welcome all of our Members on both sides of the aisle. This is always a very happy occasion and a time to reacquaint ourselves with our friends.

I had the honor and pleasure of serving with many who are in the room today; some I did not. But it is indeed

a pleasure to see all of you, to welcome you back to the peoples' House and to renew acquaintances and to ask you for your advice and your knowledge and your help, which we need every day here. So it is a great honor to welcome you.

I now yield to my friend, the minority leader, the gentleman from Illinois, Mr. BOB MICHEL.

Mr. MICHEL. Thank you, Mr. Speaker, and I thank our majority leader.

It is always good to see so many friends back with us in this institution that you have served in so well, but it is particularly gratifying to see you this year.

The institution we all love has been coming in for some heavy pounding recently, so it is good to take time out to greet old friends and to be reminded of a truth we often forget: You really cannot understand the House unless you see it as a continuing presence in this great Republic for over 200 years, which you as former Members represented over part of that great history and which those of us still serving now represent. You all remind us that no matter what difficulties we may go through, we are part of a great story, one that began before we arrived and one that is going to continue long after we have gone.

It is also a story of fallible human beings freely chosen by free people, trying to make representative government work. Sometimes we are up to the task, and sometimes we fall short, but we at least know we are part of something that is much greater than we are, this institution. Such a thought gives us hope and a sense of renewal.

Speaking of renewal, if we are to read some of the things relative to the numbers of our current Members who have decided to either run for the other body or for Governor or to simply hang it up for whatever reason, the numbers of announced retirements are already exceeding those of years past. So I suspect hopefully, if the Speaker and the majority leader and this Member return in the next body, there is going to be probably the largest number of freshmen Members on both sides of the aisle that we have experienced certainly during my tenure in the Congress, which all suggests again the renewal of this institution and the part that you played over a course of years.

So let me just say that it is good to see so many of my former colleagues here. It is a personal pleasure, and quite frankly, yes, it lifts the old spirit at just the right time.

Mr. Speaker, I thank the majority leader for yielding.

The SPEAKER. It has been traditional in the activities of the former Members' day to turn the chair over to a Member of the minority party who was a very highly respected, and in this case universally respected, and an ef-

fective Member of the Congress while he served here. He was also a very loyal and determined Member, even after he lost the speakership race two or three times or more and served as the distinguished Republican leader during that period.

So I will give the gavel over to Tip O'Neill—but I did not ever want to turn it over to him for very long—to turn it over to the Honorable JOHN RHODES of Arizona to preside over the meeting. [Applause.]

□ 1110

Mr. RHODES (presiding). Good morning, my colleagues, and thank you, Mr. Speaker, Mr. Majority Leader, and Mr. Republican Leader, for the kind words which you have spoken to us. I could not help but say to myself, "I am agreeing with everything that the two of them are saying," and wondered if that was not something that is rather rare, in my career, at least.

It is true that Tip O'Neill and I sort of look at this gavel from time to time. Tip used to say to me, "John, you have had your eye on my chair for a long time, and I want you to know that is the only part of your body that is going to be on that chair." Of course, he proved to be a prophet.

The purpose of the meeting, as always, is to take care of the business of the association, but the first thing that we do is to call the roll.

The Clerk will call the roll.

The Clerk called the roll of the former Members of the Congress, and the following former Members answered to their names.

ROLLCALL OF FORMER MEMBERS OF CONGRESS ATTENDING MEETING, APRIL 2, 1992

Mark Andrews, of North Dakota;
William H. Ayres, of Ohio;
J. Glenn Beall, Jr., of Maryland;
Ed Bethune, of Arkansas;
Lindy Boggs, of Louisiana;
Donald G. Brotzman, of Colorado;
Clarence J. Brown, of Ohio;
Joel T. Broyhill, of Virginia;
M. Caldwell Butler, of Virginia;
Elford A. Cederberg, of Michigan;
Charles Chamberlain, of Michigan;
Dick Cheney, of Wyoming;
Jeffery Cohelan, of California;
Jim Courter, of New Jersey;
James Coyne, of Pennsylvania;
Paul W. Cronin, of Massachusetts;
Carl T. Curtis, of Nebraska;
Steven B. Derounian, of New York;
Ed Derwinski, of Illinois;
Robert B. Duncan, of Oregon;
John N. Erlenborn, of Illinois;
Louis Frey, Jr., of Florida;
Robert A. Grant, of Indiana;
James M. Hanley, of New York;
Robert P. Hanrahan, of Illinois;
James Harvey, of Michigan;
William D. Hathaway, of Maine;
Paula Hawkins, of Florida;
Margaret M. Heckler, of Massachusetts;
Jeffrey P. Hillelson, of Missouri;

Patrick Hillings, of California;
 William Hungate, of Missouri;
 A. Oakley Hunter, of California;
 Dick Ichord, of Missouri;
 Jed Johnson, Jr., of Oklahoma;
 Frank Karstan, of Missouri;
 Ernest L. Konnyu, of California;
 Peter N. Kyros, of Maine;
 John Y. McCollister, of Nebraska;
 George Meader, of Michigan;
 Lloyd Meeds, of Washington;
 Walter H. Moeller, of Ohio;
 Frank E. Moss, of Utah;
 Shirley N. Pettis, of California;
 Peter A. Peyser, of New York;
 Richardson Preyer, of North Carolina;
 Joel Pritchard, of Washington;
 Thomas F. Railsback, of Illinois;
 Henry S. Reuss, of Wisconsin;
 John J. Rhodes, of Arizona;
 John H. Roussetot, of California;
 Harold S. Sawyer, of Michigan;
 William L. Scott, of Virginia;
 Carlton R. Sickles, of Maryland;
 Henry P. Smith III, of New York;
 J. William Stanton, of Ohio;
 John H. Terry, of New York;
 Andrew Jackson Transue, of Michigan;

Bob Wilson, of California;
 Larry Winn, Jr., of Kansas;
 Jim Wright, of Texas.

Mr. RHODES (presiding). The Chair now recognizes the distinguished president of the Association of Former Members of Congress for whatever purpose he may desire to pursue. That is giving him a lot of leeway, but I trust him implicitly.

Mr. HATHAWAY. The last time I stood here I was asking for funds for the Dickey Lincoln School Hydroelectric Project. After looking around the room, I do not think I will make that motion today. I see more opposed than in favor.

1992 REPORT TO THE CONGRESS

Mr. Speaker, on behalf of my colleagues, I am pleased to present our 22d annual report to the Congress. It has been a full and productive year. It was just 3 years ago that the United States Ambassador to Hungary, Mark Palmer, suggested that our Association of Former Members of Congress assist the democratization process taking place in Eastern Europe, and in Hungary in particular. I am pleased to report that our association has made substantial progress in these endeavors during the last year to assist the emerging democratic governments in Eastern Europe.

Last month we concluded hosting a delegation of nine Members of the Polish Parliament who visited the United States for a period of 2 weeks under the auspices of the United States Information Agency. These Members of Parliament represented nine different political parties. They spent several days in Washington meeting with current and former Members of Congress, including several Polish-Americans, such as Representative DAN ROSTENKOWSKI

and former Representative, now Secretary of Veterans Affairs, Edward Derwinski. In addition to Washington, DC, the delegation visited Virginia, Ohio, Indiana, Illinois, and Minnesota where they had briefings on political, economic, judicial, and social issues from mayors, State legislators, local party officials, business representatives, judges, academicians, and congressional district office personnel.

Later this year, the association will be hosting similar delegations from the Hungarian and Czechoslovakian Parliaments. In addition, the association will be sending in the spring and fall bipartisan teams composed of one Democrat and one Republican former Members of Congress accompanied by either a country or congressional expert to Poland, Hungary, and Czechoslovakia. These bilingual teams will include Lucien Nedzi of Michigan who speaks fluent Polish, Ernest Konnyu of California who speaks fluent Hungarian and John Monagan of Connecticut who speaks fluent German.

We have been able to respond positively to a request from the Hungarian Government to provide technical assistance to the Parliament by sending our first congressional fellow, Dr. Bulcsu Veress, to Budapest for at least a year through the support of USIA. Dr. Veress, who served as legislative assistant to Senator CHRISTOPHER DODD for 10 years, is a Hungarian-American who speaks fluent Hungarian. Dr. Veress is being provided office space by the Hungarian Parliament and is working with all the political parties in the Parliament.

The association has continued its hospitality program which hosts distinguished international visitors such as parliamentarians, other Government leaders, judges, academicians and journalists at the Capitol. In this program, which originally was funded by the Ford Foundation and has been continued under grants from the German Marshall Fund of the United States, we have hosted 253 events, such as breakfast, luncheons, dinners, and receptions, for distinguished visitors from 79 countries. We believe this program has been very useful in helping overseas visitors learn about the Congress.

In our efforts to increase understanding of the difference between congressional and parliamentary systems, the association also has continued to make available to international visitors the comparative studies we have published—"The Japanese Diet and the U.S. Congress" and "The U.S. Congress and the German Bundestag"—as well as our other publication, "The President, the Congress, and Foreign Policy."

Later this month, as a continuing part of our international programs, we will be hosting a delegation of members of the German Bundestag at a seminar conducted in cooperation with

the Miller Center of Public Affairs at the University of Virginia in Charlottesville. We will be taking this delegation, which will include several German Bundestag members from eastern Germany, to Pennsylvania to observe the preparations for the Presidential primary April 28. Our legislative exchange program with Members of Congress and members of the Bundestag continues to be funded principally by the German Marshall Fund of the United States and has included joint meetings of the United States and German agricultural committees and visits by members of the German Bundestag to observe the Illinois Presidential primary and the Iowa caucus as well as to congressional districts throughout the country with Members of Congress to learn about the United States political process at the grassroots level. This coming October, our Fifth Annual German-American Day celebration will be held at the Capitol in cooperation with the congressional study group on Germany which is sponsored by the association. This year's chairman of the congressional study group on Germany in the House is Representative JOHN SPRATT of South Carolina, and Representative DOUG BEREUTER of Nebraska serves as the vice chairman, Senators WILLIAM ROTH of Delaware and TERRY SANFORD of North Carolina serve as cochairmen of the Senate group.

This year the association also will be continuing our Japanese Congressional Fellows Program under which we bring Japanese Diet staff members to the United States for 60-day fellowships during which time they serve in congressional offices, meet with staff of congressional support service institutions and academic experts as well as visit congressional districts to observe congressional campaigns. This program has been funded by the Japan-United States Friendship Commission for the past several years.

The association has continued its successful Congressional Fellows Program in which former Members of Congress visit college and university campuses for 3 or 4 days to share their practical political experience with students, faculty, and community representatives to help them better understand the Congress. Our most recent, the 227th visit, to a campus under the association's Congressional Fellows Program was made earlier this year by former Florida Senator Paula Hawkins to California Polytechnic State University at San Luis Obispo. The Congressional Fellows Program was begun in 1974 under a grant from the Ford Foundation and has been continued through a number of other corporate and foundation contributions, most recently the UPS Foundation. Members of the association believe it is very important to encourage young people to learn about the political process and to

participate in it. Two years ago at the urging of the association President Abner Mikva, we added as a pilot project visits to high schools. We now are adding visits to high schools with those made to colleges and universities whenever possible. We know the need is great for this program and plan to continue to expand it as resources become available.

Mr. Speaker, I ask permission to insert in the RECORD at this point the list of the 227 visits to 161 institutions in 49 States that have been visited by 69 former Members of Congress.

(The list referred to follows:)

COLLEGES, UNIVERSITIES AND HIGH SCHOOLS VISITED UNDER THE CONGRESSIONAL FELLOWS PROGRAM

COLLEGE/UNIVERSITY/HIGH SCHOOL, LOCATION, FELLOW, STATE/COUNTRY

Alaska Pacific University, Alaska, William S. Mailliard (California).
 Albion College, Michigan, David S. King (Utah).
 Albion College, Michigan, Ted Kupferman (New York).
 Albion College, Michigan, Martha Keys (Kansas).
 Alfred University, New York, Frank E. Moss (Utah).
 American College in Paris, France, David S. King (Utah).
 American College in Paris, France, Byron L. Johnson (Colorado).
 Arizona State University, Arizona, Gale W. McGee (Wyoming).
 Arizona State University,¹ Arizona, Jacques Soustelle (France).
 Assumption College, Massachusetts, Gale W. McGee (Wyoming).
 Auburn University, Alabama, William L. Hungate (Missouri).
 Auburn University,¹ Alabama, Alan Lee Williams (United Kingdom).
 Avila College,¹ Kansas, Karin Hafstad (Norway).
 Bainbridge Jr. College, Georgia, Gilbert Gude (Maryland).
 Baylor University, Texas, James Roosevelt (California).
 Baylor University,¹ Texas, Peter von der Heydt (Germany).
 Bowling Green State University, Ohio, Robert P. Hanrahan (Illinois).
 Bradley University, Illinois, Charles W. Whalen, Jr. (Ohio).
 Brandeis University, Massachusetts, Abner J. Mikva (Illinois).
 Brandeis University, Massachusetts, L. Richardson Preyer (North Carolina).
 Brenau College, Georgia, Ralph W. Yarborough (Texas).
 Brigham Young University,¹ Utah, Jacques Soustelle (France).
 California Poly. State—San Luis Obispo, California, John B. Anderson (Illinois).
 California Poly. State—San Luis Obispo, California, Frank E. Evans (Colorado).
 California Poly. State—San Luis Obispo, California, Paula Hawkins (Florida).
 California Poly. State—San Luis Obispo, California, Robert N. Gaimo (Connecticut).
 California Poly. State—San Luis Obispo, California, John R. Schmidhauser (Iowa).
 California Poly. State—San Luis Obispo, California, Ralph W. Yarborough (Texas).
 California Poly. State—Pomona, California, Robert R. Barry (New York).

Cameron University, Oklahoma, William D. Hathaway (Maine).
 Cameron University, Oklahoma, William L. Hungate (Missouri).
 Cameron University, Oklahoma, Dick Clark (Iowa).
 Carleton College, Minnesota, William S. Mailliard (California).
 Carroll College, Montana, Ralph W. Yarborough (Texas).
 Chaminade College, Hawaii, Catherine May Bedell (Washington).
 Chatham College, Pennsylvania, Catherine May Bedell (Washington).
 Chatham College, Pennsylvania, Martha Keys (Kansas).
 Charleston College,¹ South Carolina, John M. Reid (Canada).
 Clarke College, Georgia, William L. Hungate (Missouri).
 Clarke College, Georgia, William S. Mailliard (California).
 Colgate University, New York, William S. Mailliard (California).
 College of the Sequoias, California, Gale W. McGee (Wyoming).
 Colorado State University,¹ Colorado, Alastair Gillespie (Canada).
 Columbia College, South Carolina, Catherine May Bedell (Washington).
 Columbia College, South Carolina, Martha Keys (Kansas).
 Columbia College, South Carolina, James M. Quigley (Pennsylvania).
 Columbia College,¹ South Carolina, John M. Reid (Canada).
 Columbia College, South Carolina, Henry S. Reuss (Wisconsin).
 Columbia College, South Carolina, Nick Galfianakis (North Carolina).
 Concordia College, Michigan, Walter H. Moeller (Ohio).
 Connecticut College, Connecticut, Ralph W. Yarborough (Texas).
 Converse College, South Carolina, Jed Johnson, Jr. (Oklahoma).
 Dartmouth College, New Hampshire, John O. Marsh, Jr. (Virginia).
 Dartmouth College, New Hampshire, William S. Mailliard (California).
 Davis & Elkins College, West Virginia, Frank E. Moss (Utah).
 David & Elkins College, West Virginia, J. Glenn Beall, Jr. (Maryland).
 Denison University, Ohio, Frank E. Moss (Utah).
 DePauw University, Indiana, Hugh Scott (Pennsylvania).
 Dillard University,¹ Louisiana, Georg Kahn-Ackermann (Germany).
 Doshisha University,¹ Japan, Catherine May Bedell (Washington).
 Duke University, North Carolina, Georg Kahn-Ackermann (Germany).
 Eckerd College, Florida, William L. Hungate (Missouri).
 Elmira College, New York, Charles W. Whalen, Jr. (Ohio).
 Friends University, Kansas, Henry P. Smith, III (New York).
 Furman University, South Carolina, Jed Johnson, Jr. (Oklahoma).
 Furman University, South Carolina, Charles W. Whalen, Jr. (Ohio).
 Georgetown University, Washington, DC, Cello Borja (Brazil).
 Grinnell College, Iowa, Neil Staebler (Michigan).
 Guilford College, North Carolina, Gale W. McGee (Wyoming).
 Gustavus Adolphus College, Minnesota, Charles W. Whalen, Jr. (Ohio).
 Hamilton College, New York, William S. Mailliard (California).

Hartwick College, New York, Ralph W. Yarborough (Texas).
 Hiram College, Ohio, Howard H. Callaway (Georgia).
 Hiram College, Ohio, Roman L. Hruska (Nebraska).
 Hope College, Michigan, Walter H. Judd (Minnesota).
 Hope College, Michigan, Gale W. McGee (Wyoming).
 Hope College, Michigan, Catherine May Bedell (Washington).
 Idaho State University, Idaho, John R. Schmidhauser (Iowa).
 Indiana State University, Indiana, Gordon L. Allot (Colorado).
 Indiana Univ. Northwest, Indiana, Neil Staebler (Michigan).
 Indiana Univ. Northwest, Indiana, William L. Hungate (Missouri).
 Indiana Univ. Northwest, Indiana, Tom Rallsback (Illinois).
 Jackson State University, Mississippi, Alard K. Lowenstein (New York).
 Johns Hopkins University, Maryland, Hugh Scott (Pennsylvania).
 Johns Hopkins University, Washington, DC, Cello Borja (Brazil).
 Kansai University, Japan, Frank E. Moss (Utah).
 Kansas-Newman College, Kansas, Henry P. Smith, III (New York).
 Kansas State University, Kansas, Paul N. McCloskey, Jr. (California).
 Keio University, Japan, Frank E. Moss (Utah).
 King College, Tennessee, Charles W. Whalen, Jr. (Ohio).
 King's College, Pennsylvania, Philip Hayes (Indiana).
 Kirklind College, New York, William S. Mailliard (California).
 Kwansai Gakuin University, Japan, Frank E. Moss (Utah).
 LaGrange College, Georgia, Ralph W. Yarborough (Texas).
 Lake Forest College, Illinois, Ralph W. Yarborough (Texas).
 Lindenwood College, Missouri, Gaylord Nelson (Wisconsin).
 Longwood College, Virginia, Paul W. Cronin (Massachusetts).
 Luther College, Iowa, Gilbert Gude (Maryland).
 McNeese University, Louisiana, William S. Mailliard (California).
 Marshall University, West Virginia, John J. Gilligan (Ohio).
 Mary Hardin Baylor College, Texas, Brooks Hays (Arkansas).
 Matanuska-Susitna Community College, Alaska, William L. Hungate (Missouri).
 Mesa Community College, Arizona, Gale W. McGee (Wyoming).
 Miami University—Middletown, Ohio, James Roosevelt (California).
 Miami University—Middletown, Ohio, James W. Symington (Missouri).
 Mid-America Nazarene Coll., Kansas, John B. Anderson (Illinois).
 Mid-America Nazarene Coll., Kansas, John Dellenback (Oregon).
 Millsaps College, Mississippi, Allard K. Lowenstein (New York).
 Montclair State College, New Jersey, Walter H. Judd (Minnesota).
 Montclair State College, New Jersey, Ralph W. Yarborough (Texas).
 Morehead State University, Kentucky, Dan Kuykendall (Tennessee).
 Morehouse College, Georgia, William S. Mailliard (California).
 Morehouse College, Georgia, William L. Hungate (Missouri).

Footnotes at end of articles.

- Morris Brown College, Georgia, William S. Mailliard (California).
- Morris Brown College, Georgia, William L. Hungate (Missouri).
- Mount Vernon College, Washington, DC, Martha Keys (Kansas).
- Murray State University, Kentucky, Brooks Hays (Arkansas).
- Nanzan University, Japan, Catherine May Bedell (Washington).
- New Trier High School, Illinois, John V. Lindsay (New York).
- New York University, New York, George McGovern (South Dakota).
- Northern Illinois University, Illinois, William L. Hungate (Missouri).
- Northern Kentucky University, Kentucky, Martha Keys (Kansas).
- North Park College,¹ Illinois, Karin Hafstad (Norway).
- Northwestern University,¹ Illinois, Karin Hafstad (Norway).
- Oklahoma State University, Oklahoma, Ralph W. Yarborough (Texas).
- Oregon State University, Oregon, Martha Keys (Kansas).
- Otterbein College, Ohio, James Roosevelt (California).
- Purdue University-Calumet, Indiana, William L. Hungate (Missouri).
- Purdue University-Calumet, Indiana, Tom Railsback (Illinois).
- Randolph-Macon College, Virginia, Gale W. McGee (Wyoming).
- Randolph-Macon College,¹ Virginia, Hugh Scott (Pennsylvania).
- Revere High School, Ohio, John B. Anderson (Illinois).
- Rockhurst College,¹ Kansas, Karin Hafstad (Norway).
- Rose Hulman Institute of Technology, Indiana, Gordon L. Allott (Colorado).
- St. Cloud State University, Minnesota, Charles W. Whalen, Jr. (Ohio).
- St. Lawrence University, New York, Roman L. Pucinski (Illinois).
- St. Mary-of-the-Woods, Indiana, Gordon L. Allott (Colorado).
- St. Mary's College, Indiana, Gale W. McGee (Wyoming).
- St. Michael's College, Vermont, Walter H. Judd (Minnesota).
- St. Norbert's College, Wisconsin, Martha Keys (Kansas).
- St. Olaf College, Minnesota, William S. Mailliard (California).
- Salem College, North Carolina, Martha Keys (Kansas).
- Sangamon State University, Illinois, Andrew J. Biemiller (Wisconsin).
- Sangamon State University, Illinois, Martha Keys (Kansas).
- Sangamon State University,¹ Illinois, Alan Lee Williams (United Kingdom).
- Sangamon State University,¹ Illinois, Alastair Gillespie (Canada).
- Siena College, New York, Frank E. Moss (Utah).
- Siena College, New York, Charles W. Whalen, Jr. (Ohio).
- Southeast Comm. College, Kentucky, Donald E. Lukens (Ohio).
- Southern Illinois University, Illinois, John R. Schmidhauser (Iowa).
- Southwestern College, Kansas, Henry P. Smith, III (New York).
- Spelman College, Georgia, William S. Mailliard (California).
- Spelman College, Georgia, William L. Hungate (Missouri).
- SUNY-Binghamton, New York, John B. Anderson (Illinois).
- SUNY-Plattsburg, New York, L. Richardson Preyer (North Carolina).
- State University of Oswego, New York, Martha Keys (Kansas).
- Syracuse University, New York, Charles W. Whalen, Jr. (Ohio).
- Talladega College, Alabama, Ted Kupferman (New York).
- Tougaloo Southern Christian College, Mississippi, Allard K. Lowenstein (New York).
- Transylvania University, Kentucky, James M. Quigley (Pennsylvania).
- U.S. Air Force Academy,¹ Colorado, Alan Lee Williams (Great Britain).
- U.S. Coast Guard Academy, Connecticut, Ralph W. Yarborough (Texas).
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The Association maintains close relations with current and former members of parliaments in other countries. For

example, last summer, the association's voice president Clarence Brown represented us at the Third United States-Scandinavian Seminar. Bud also represented the Association as an observer of the Armenian election. We continue to have excellent relations with our counterpart associations overseas and I am pleased to recognize and welcome several representatives of those associations who are with us today: Len Bosman and Les Johnson from the Association of Former Members of the Parliament of Australia; Ian Deans and Jack Ellis from the Canadian Association of former Parliamentarians; and Georg Kahn-Ackermann from the Association of Former Members of the German Bundestag. I am delighted that this past year Carlton Sickles was able to participate in the annual meeting of the Association of Former Members of the Parliament of Australia, John Rhodes was able to participate in the annual meeting of the Canadian Association of Former Parliamentarians and that we were able to host a delegation of members of the Association of Former Members of the German Bundestag in Washington. We look forward to continuing and expanding our cooperative efforts with these and other counterpart organizations throughout the world.

Mr. Speaker, it is now my sad duty to inform the House of those persons who have served in the Congress who have passed away since our report last year.

Leroy H. Anderson of Montana; John A. Blatnik of Minnesota; Richard Bolling of Missouri; Omar Burleson of Texas; Albert Benjamin Chandler of Kentucky; Victor Christgau of Minnesota; Thomas H. Elliot of Massachusetts; Michael A. Feighan of Ohio; Joseph L. Fisher of Virginia; George W. Grider of Tennessee; G. Elliott Hagan of Georgia; Harlan F. Hagen of California; Ralph Harvey of Indiana; Wayne L. Hays of Ohio; Frank N. Ikard of Texas; Joseph J. Maraziti of New Jersey; Warren G. Magnuson of Washington; Carter Manasco of Alabama; James Roosevelt of California; Harley O. Staggers of West Virginia; and Theodore B. Werner of South Dakota.

I would like to ask for a moment of silence in their memory.

It is now my happy duty to report that nominated to be our Association's new president is our colleague Clarence Brown of Ohio, and as new vice president, James Symington of Missouri. So the leadership of the Association will be in capable and experienced hands.

Each year the association presents a Distinguished Service Award. This award rotates between political parties as do our officers. Last year's recipient on the Democratic side was former Louisiana Representative Lindy Boggs. This year the Republican recipient is the distinguished former Wyoming Representative, Dick Cheney, the Secretary of Defense.

I have known personally Secretary Cheney's predecessors back to Bob McNamara. All of them performed admirably in an extremely difficult job. Dick Cheney ranks with the best of them and outranks all of them in his ability to communicate with the general public—a talent every public official has but in which only a few excel. Secretary Cheney's briefings during Desert Storm were classic cases of clearly and concisely conveying information and at the same time reassuring us everything was under control.

It is my pleasure to present to him, on behalf of our Association, a volume of letters from his former colleagues in the Congress and this plaque and gavel which commemorate this special occasion and this award presented on behalf of his colleagues who served with him in the Congress.

□ 1130

Mr. Speaker, I yield to Secretary Cheney.

Secretary CHENEY. I thank the gentleman for yielding.

Somehow it does not feel right on the other side over there, and I never did speak from that side of the House and I could not begin this morning.

It is a special privilege to be here today and to share this moment with all of you. I do not know any group for whom I have greater respect than the Members that I shared my 10 years in the House with and the former Members of the House of Representatives.

You know, at a moment like this there is a certain amount of nostalgia that comes to the fore. I cannot help but stand here this morning and think about all of the hours that we spent together in the House, whether it was in debate down here on the floor, or back of the rail working votes, or standing at the door making certain your colleagues knew what yea and nay meant when they came onto the floor because we always had a few who never quite got the message.

I remember my first speech from this podium because John Rhodes had a great deal to do with it. The morning after my first election I called John, who was then our Republican leader, and I said, "John, you know, I'm from Wyoming, and I would like to be a member of the House Interior Committee." And he said, "You've got it, Dick." And he said, "Oh, by the way, there's one other assignment I want you to take up, and that is to be on the House Ethics Committee." I thought that was great. I mean here I was and I was already given an important assignment. It was 6 months until I figured out that the only reason I got the assignment was because nobody else would take the assignment. But that is why I came when I made my first speech, to address that subject.

My fondest wish during the course of my career was to serve out my time in

the House of Representatives. I harbored aspirations of following in BOB MICHEL's footsteps, and never aspired to be anything other than the Republican leader. Someday, if I got lucky, and if we got really lucky, perhaps follow in John Rhodes' footsteps in terms of his aspiration to become Speaker.

I left with mixed emotions some 3 years ago. I have loved serving at the Pentagon. It has been a tremendous experience. But I will always wonder what it would have been like to have been able to spend the rest of my years here in the House of Representatives.

I remember my first day when I came to Congress as a staffer, young staffer. It was 24 years ago in the summer of 1968. I was very green, needless to say. I had a fellowship to spend a year on the Hill, and I arrived by bus downtown from the Virginia suburbs where I had rented an apartment. But I could not figure out how to make the transfer on the bus from downtown to get up here to the Hill. But I could see the Capitol dome, so I walked all the way from downtown up here to the Hill. It was a hot August day, and I went to the only Member of Congress I knew at the time, Bill Steiger from Wisconsin. I had known Bill because we had served together when he was in the Wisconsin Legislature and I was working for the Governor.

I showed up hot and dusty, needless to say, and I pretty well ruined my suit when I arrived up here. It was the only suit I had. It was electric green. Well, it looked like, a lot like those sports coats Ed Derwinski used to wear before Ed became a member of the Cabinet and started wearing pinstripe suits.

But my career, like that of all of us I think, was shaped by those who helped us along the way, gave us important assignments, and encouragement when we needed it, and certainly my career throughout my time has been shaped by a number of individuals, all of whom it turns out were men of the House, men like Bill Steiger who gave me my first start when I arrived in Washington. Don Rumsfeld, who hired me for my first job in the executive branch back during the Nixon administration; Jerry Ford, who was courageous enough to turn over the management of his White House to a 34-year-old former Hill staffer; BOB MICHEL, who was my leader for 10 years and who managed to transfer to me during that period of time his understanding and love and respect for the institution. And finally, of course, George Bush, who has given me the great privilege of serving at the Defense Department through one of the more challenging and interesting periods in our history.

The first time I was ever on the floor, actually in the Chamber was for Lyndon Johnson's last State of the Union speech. Bill Steiger managed to get me

a pass so that I could stand behind the rail back there in the crowd that always gathers in the Chamber at those moments. And it was a difficult point in our history, of course, January 1969. The war in Vietnam was raging and we had half a million men committed over there, increasingly costly and increasingly unpopular here at home. The previous year had seen political assassinations of Bobby Kennedy and Martin Luther King. The city had been wracked by riots and fires just a few blocks from where we meet this very morning.

But on that night there was no sense of despair, there was no sense of hopelessness, and with all of our troubles there was a sense of renewal in the Chamber that night. There was never any doubt about the ability of the Nation and this institution to endure. The House of Representatives, the People's House, of course, was and still is the embodiment of those principles of freedom and democracy that had guided us for more than two centuries.

One final recollection seems appropriate, one I will always carry with me when I think of the House of Representatives, and that is March 6 of last year when I was privileged to sit down here in the front row as a member of the President's Cabinet when President Bush came before a joint session to report to the Congress and to the American people on the successful conclusion of the war in the gulf. It was one of those rare moments in our Nation's history when we stood absolutely united. We were all tremendously proud that night of our young men and women in uniform for the way in which they had restored our national sense of purpose, and proud of our President who had provided the kind of bold and decisive leadership that had galvanized the entire world, and yes, proud of the Congress for the thoughtful and articulate way it had performed its function in debating the resolution authorizing the President to use military force to roll back Iraqi aggression in the gulf.

We have, all of us here, seen the House become obsessed with triviality, and then moments later rise to greatness. In an instant the institution can move from pettiness to the most profoundly moving nobility. And now we see the institution pass under a cloud. We see its reputation sullied. For those of us who love the House, this is deeply painful to watch.

Now is a good time for us to remember those moments of grace and eloquence when the House of Representatives symbolized this Nation at its best. That capacity still exists here and now. It is hard to see it sometimes. Often it requires a great crisis to call it forth. But as surely as democracy is strong, this institution, one of the most democratic bodies in the world, is strong.

When occasion demands, this House will rise again, and we and our fellow

citizens will once again understand it for what it is, the greatest legislative assembly of the greatest nation on Earth.

Thank you very much.

Mr. HATHAWAY. Mr. Speaker, I yield back the balance of my time.

□ 1140

Mr. RHODES (presiding). This is the conclusion of the program, and again I want to thank the Speaker and the leadership of both major parties for the usual courtesy which we have for many years enjoyed in this Chamber and to echo the words of our distinguished Secretary of Defense in assuring everybody that, if they needed assurance, that the members of the Association of Former Members of Congress are deeply involved in everything that happens to this institution, and we swell with pride when pride is warranted, and our hearts break a little bit when things happen which shed something other than credit upon the institution.

We are pleased to be here to lend whatever support is needed to the sitting Members of the House for the purpose of refurbishing whatever needs to be refurbished, and I think we would all agree that the institution was not perfect when we were here, and perhaps it does need some corrections of imperfections which were present and which we did not have the courage or the capabilities of correcting when we were here.

So as we often say, we hope that they will do as we say, not as we did, and do whatever is necessary to refurbish and to renew the confidence of the American people in this great institution.

The House will continue in recess until 12 noon.

Accordingly (at 11 o'clock and 41 minutes a.m.), the House continued in recess until approximately 12 noon.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. KENNELLY) at 12 o'clock and 2 minutes p.m.

□ 1202

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mrs. BOXER. Madam Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the CONGRESSIONAL RECORD, and that all Members and former Members who spoke during the recess have the privilege of revising and extending their remarks.

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

There was no objection.

WOMEN IN CONGRESS VOW SUPPORT TO OVERTURN ABORTION GAG RULE

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

Mrs. BOXER. Madam Speaker, the clock is ticking on the gag rule. In 30 days women in health clinics will not be able to learn their legal and lawful right to abortion exists in this country.

The clock is ticking and we must act. The Republican and the Democratic leadership of this House should jointly indicate their respect for the dignity and individual rights of American women by helping pass legislation to overturn this gag rule.

We are here today to say that the women of Congress will not be gagged. We will make our voices heard until women have access to medical advice that they need to have. Whether George Bush or JESSE HELMS think otherwise. We are only a few in the House, we are fewer in the Senate, but we will not be gagged and we will not allow this issue to be lost. What is America but the land of the free? And how can we be free when our own Government puts a gag around health professionals? Who will be gagged next? Let us overturn the gag rule, let us do it now, and if the President vetoes our effort, let him explain how his action is in the best interests of America and freedom.

OVERTURN THE GAG RULE

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

Mrs. MORELLA. Madam Speaker, within the next 30 days, family planning clinics across the country will lose their Federal funding if they fail to comply with the gag rule. Much attention has been given to the administration's recent loosening of restrictions on physicians—in fact, the guidance issued by the Department of Health and Human Services which conflicts with the regulations—will undoubtedly lead to defensive medicine.

More importantly, the practical impact of this change will be negligible. Because the vast majority of physical exams and counseling in family planning clinics are performed by nurse practitioners and nurse midwives who are still prohibited from counseling or referring women for abortions, many low-income women will still be prevented from receiving full medical information.

Madam Speaker, it is critical that Congress take immediate action to totally overturn the gag rule. It discriminates against poor women and it is an outrageous violation of our first amendment rights.

GAG RULE MODIFICATION—AN UNACCEPTABLE COMPROMISE

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

Mrs. LOWEY of New York. Madam Speaker, do not let the President fool you. His latest modification of the gag rule stops far short of what is needed to protect the fundamental rights of women and health care professionals. His new rule gives doctors some latitude to speak about abortion, but leaves other health care professionals muzzled. What the President has proposed is a compromise, an unacceptable compromise. When it comes to free speech and to protecting the fundamental right to choose, a compromise is unacceptable. The harsh reality is that the President's modifications will not help the vast majority of title X patients, and will, in fact, make the program more expensive.

If the President is serious about reducing Government spending, it makes no sense for him to add to the cost of the title X program by allowing only the highest paid personnel to provide counseling on this fundamental right. He also must understand that reducing the availability of counseling services leaves women's health hanging in the balance.

Do not be deceived. This administration is still moving full speed ahead to overturn Roe versus Wade, and to deny women their constitutional right to choose. George Bush's attempt at political gamesmanship cannot hide this fundamental fact.

THE PRESIDENT HAS GAGGED MEDICAL PROFESSIONALS, BUT HE HAS NOT GAGGED THE CONGRESS

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

Ms. MOLINARI. Madam Speaker, we have become a sensitive body of men and women in the House of Representatives lately. Day after day we take to this well and either level charges of political impropriety or proclaim personal innocence. We rightly shudder that we should be called dishonest or biased or anti anything or anyone. But yet our failure to uphold the rights of poor women by legislating against the gag rule renders us all guilty; guilty of saying that poor women must live by a different, more capricious law than you and I; guilty of hiding behind a Presidential regulation; guilty of closing doors to desperately needed family planning clinics.

Madam Speaker, we have the power in this House to legislate against the HHS regulation and guarantee equal access to the current law for all women.

Madam Speaker, I urge House leaders to move swiftly. The President has gagged medical professionals, but he has not gagged the Congress. Our failure to act on behalf of those who have been rendered powerless will create a scandal in this House that should haunt everyone of us for years to come.

BE CAREFUL, VETERANS, YOUR TIME MAY COME, TOO

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

Ms. SLAUGHTER. Madam Speaker, for 200 years, from December 1791 to December 1991, no Congress, no court, no administration sought to take away the first amendment rights of the citizens of the United States. But that, now upheld by the court, is the law in this country, and women cannot be told their rights in clinics that are supported by Federal funds.

Madam Speaker, I want to address my few moments here to the people in the rest of the country who may be veterans, who are recipients of care from Veterans' Administration hospitals, people in nursing homes paid for by Medicare and Medicaid. If it could happen to the women in this country, it can happen to all the rest of us citizens.

Just because the people here are going to say to the veterans and to the elderly in their communities, "Oh, we don't mean you, we mean you no harm. Our intended victim here is only the poor woman who is frightened and often desperate and has no place else to go. We mean you no harm," well, you had better think about it. This went by so easily, so quickly and so far, and this Congress has been totally unable to readdress that wrong. We have a few days now to do that.

We pray that will happen.

GAG RULE STRIPS WOMEN OF FUNDAMENTAL RIGHTS

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

Ms. SNOWE. Madam Speaker, the clock is ticking away on women's rights in this great Nation. In 31 days, women will no longer be treated as patients when they enter a family planning clinic—they will be treated as children.

Rather than trust the women in this country to make the best medical choices for themselves, the administration has issued regulations that force women in a direction which is both inconsistent with the law of this land and to the detriment of women's health.

If these regulations go into effect, a woman's economic status will suddenly

determine whether or not she will be protected by the U.S. Constitution. Women who can afford private medical care will retain their constitutional rights. But those women who depend on federally funded medical care—some 4 million women—will be denied legal, medical information to which they as citizens of this country are entitled. Not one of us in this Chamber will ever be forced to endure such heinous intrusion of government.

Madam Speaker, I am saddened and alarmed by the direction our country is headed when the Government assumes the authority to direct orders to medical professionals and to strip women of their fundamental rights. Congress must act to reverse this imprudent and harmful trend. The implementation of these regulations is imminent and we must take action immediately.

□ 1210

REMOVE THE GAG

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

Ms. NORTON. Madam Speaker, when justice is blind, we can applaud. But justice in America has become a health professional, and she is still gagged. Gagged she is dangerous to herself and her patients. Justice is a doctor who can mention, but not counsel, abortion. But justice is mostly one of the other professionals who overwhelmingly provide the advice to women in federally funded clinics. She must not let the word "abortion" pass her lips or direct a woman to where she may learn the word and its meaning.

In short, justice is a lawsuit waiting to happen. There is no way to practice defensive medicine when an HIV infected woman is not told of all her options. The gag will and should produce a lawsuit. The litany of litigation will be endless.

Madam Speaker, today we step forward to let the administration know that the people have not been fooled, neither some of the time or all of the time. We step forward especially for the women of the Capital City who suffer from the gag and more, from the absolute denial of the right even to spend local funds for poor women who desire an abortion. The time has come to step forward, Madam Speaker, and not step back until the gag is removed from everyone.

READING WEEK AT GROVE AVENUE SCHOOL

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

Mr. MACHTLEY. Madam Speaker, this past Monday I had the unique and

enjoyable experience, as part of a celebration of Reading Week, of attending Mrs. Stark's sixth grade class at Grove Avenue in East Providence. Many of us will have this opportunity. It is an opportunity to demonstrate to students that government is real people trying to deal with real problems. But this particular week we have an opportunity to demonstrate to students the importance of reading. It is my hope that each of us will take this opportunity, not just to demonstrate to students that it is important to read, but to demonstrate to people that it is important for them to read to their children and that reading is one of the keys of knowledge and that knowledge is certainly one of the keys to wealth and a prosperous nation.

Madam Speaker, this school is a unique school. It builds on the knowledge of students. It helps them to learn by team work. The principal, Diane Santos, has been a leader in making sure that these students in East Providence are going to thrive in a world which needs their achievement.

Madam Speaker, I thank this school for giving me this opportunity, and I look forward to watching their development.

UNDERPRIVILEGED AMERICAN WOMEN HAMPERED BY ABORTION GAG RULE

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

Mrs. KENNELLY. Madam Speaker, last November we failed to override the President's veto of the gag rule by only 12 votes. We promised then that we would be back, Madam Speaker, and we are.

For 7 years, family planning counselors were required to give their clients full information about pregnancy options. But in 1988, suddenly poor women were not entitled to be fully informed about the law.

Two weeks ago, the administration issued a guidance to title X clinics to clarify and implement the regulations. Some would have us believe that the guidance—which does not have the force of law—protects the patient/client relationship. In fact, Madam Speaker, it does not. The nurses and nurse practitioners who do most counseling are still forbidden from giving critical medical advice, and no one—including doctors—can refer a woman for a legal abortion, regardless of her medical needs or her wishes.

Madam Speaker, underprivileged, American women deserve equal access to information. I hope that we will soon have before us the title X reauthorization bill, which includes a provision to overturn the gag rule. Unless we enact its language, we will be allowing suppression of information and

unfree speech to stand as the law of this land.

REGULATORY EXCESS IN FOOD LABELING RULES DRIVING OUT SMALL BUSINESSES

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

Mr. OXLEY. Madam Speaker, one reason economic growth in this country is not what it should be is the surge in regulation requiring businesses to meet the social objectives of government.

On January 28, the President directed departments and agencies not to issue new regulations for 90 days and to review regulations to eliminate inefficiency.

One example of regulatory excess is the food labeling rules proposed by FDA for retail confectioners. While the regulations provide some exemptions, they do not go far enough.

Congress allowed that nutrition labeling be omitted where it would be impractical. Retail confectioners manufacture a variety of products, sold in diverse combinations. Nutrients vary greatly, and the cost of providing the information are too great for small confectioners—such as Dietsch Brothers in my hometown of Findlay, OH—to reasonably absorb.

I urge FDA to weigh the comments of Retail Confectioners International and fashion final regulations that will not drive small businesses from the market.

GAG RULE IMPLEMENTATION

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

Mrs. UNSOELD. Madam Speaker, as we speak, family planning clinics are facing a devastating catch-22. Deny patients the complete information they deserve, or lose Federal funding.

Our precious Bill of Rights is at risk. Women's lives are at risk—unless this Congress acts.

For years, this administration has told clinics that Federal funding must come at a price—and that price is free speech. Now it is trying to make good on its words. The President has actually tried to blunt public outrage over his gag rule by asserting that doctors won't be affected—but since nurses and social workers and counselors are on the front line for women in need, who's he kidding?

Do not let time run out. Don't force our clinics to bargain with their integrity. Join us in supporting H.R. 3090, the title X reauthorization. Let the American people know that free speech is not a political bargaining chip.

REPUBLICAN REGULATION RELAY

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

Mr. GINGRICH. Madam Speaker, as we continue the Republican relay, I wanted to focus attention on a regulation that is causing problems for the airline industry, an industry that has suffered considerable losses during the past few years.

Because of the Transit Without Visa Program, airlines have seen a surge in the number of people who come to the United States and then claim political asylum.

The INS response to this problem has been to fine airlines for allowing passengers to abuse the system, to force the airline to detain passengers until their asylum claims are adjudicated, and then to charge the carriers—the costs of detaining the passengers—a process which takes several months. As a result, these passengers are costing airlines millions of dollars per year in detention charges.

Madam Speaker, when an industry as important to this country as the airline industry experiences financial problems, we should be focusing on ways to help it. In keeping with the President's request, let us reexamine our regulations that hinder economic growth, reduce our competitiveness in the world marketplace, and kill valuable American jobs.

OVERTURN THE GAG RULE

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

Ms. DELAURO. Madam Speaker, the debate over the gag rule is not one involving pro-choice or pro-life forces. This is a debate about free speech and informed choice.

There is no principle more fundamental to maintaining a democracy than free speech. This has been the foundation of our country, our representative government, and our very way of life for more than 200 years.

The freedom of Speech may be taken away, and, dumb and silent we may be led, like sheep, to the Slaughter.

Those words of General Washington in 1783 have lost none of their power in the intervening centuries because they represent a potent truth.

Yet the gag rule would limit speech and cripple the power of women to make informed choices about some of the deepest and most personal issues they face.

The administration, in an effort to blunt the pointed criticisms that have begun to shred the gag rule has offered a guidance that it has sold as a softening of the gag rule restrictions.

This move does nothing to loosen the constraints of the gag rule on title X

funds—nothing to allow title X doctors to discuss the full range of options for women and nothing to free clinics with title X funds to offer complete counseling.

Madam Speaker, the only way to restore freedom of speech and provide women with the information they need to make an informed choice is to take back the right of free speech granted on this floor every day. Support title X and overturn the gag rule.

□ 1220

HONORING COL. TRAVIS HOOVER

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

Mr. HANCOCK. Madam Speaker, from April 15 to April 19, in Columbia, SC, a very special group of Americans will be having a reunion—the 41 survivors of the famous Doolittle Raid on Tokyo which took place 50 years ago this April.

I am proud to say that one of these survivors, Col. Travis Hoover, is a constituent of mine in Webb City, MO.

Colonel Hoover was the second pilot to take off from the American aircraft carrier *Hornet* on that perilous raid.

Colonel Hoover, his crew, and the 15 other B-25 bombers performed what was clearly one of the most dangerous missions of World War II—making a surprise attack on the Japanese homeland, dealing a tremendous blow to the enemy morale.

They were forced to fly 600 miles to their target, knowing full well they did not have enough fuel to return to their home ship.

Colonel Hoover and his fellow raiders succeeded, however, in making it to the friendly Chinese coast.

They successfully bombed five Japanese cities, including Tokyo, braving anti-aircraft fire from low-flying altitudes.

Colonel Hoover was decorated with the Distinguished Flying Cross for his heroism and I take this opportunity today to commend him again.

It has been 50 years, but we have not forgotten his dedication, patriotism, and heroics. Thank you, Colonel Hoover.

GAG RULE ON ABORTION RAISES QUESTIONS OF FREE SPEECH

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

Mrs. MINK. Madam Speaker, I take the floor today to join my colleagues in expressing my continued dismay that the constitutional right of free speech will be denied shortly to tens of thousands of poor women whose only place where they can go for medical assistance, advice, or counseling with re-

spect to their reproductive needs and problems will be taken away.

Just think of it. In America, where we treasure the concepts of free speech and the right of everyone to exercise that right, the right of free speech will be denied those who work in our family planning clinics.

The power of the purse given to the Congress of the United States by our Constitution to appropriate moneys for those programs that we wish to see supported has now been callously interpreted to allow us to prohibit the exercise of free speech in the conduct of these programs. Our health counselors and our people in the medical professions who work in these clinics are not going to be allowed to talk freely and clearly and concisely with their patients.

Madam Speaker, this is extremely unfair. The gag rule is not about abortion; it is about free speech.

PROPOSED EXTENSION OF LEGISLATION TO PROVIDE SPECIAL MEDICARE ADJUSTMENTS TO SMALL RURAL HOSPITALS

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

Mr. GUNDERSON. Madam Speaker, we often talk here in the Congress about expanding access to health care. Once in a while our obligation is not to expand health care as much as it is to maintain that access to health care that presently exists.

We in 1989 passed legislation that provided for small rural hospitals an opportunity to have special adjustments in the way they are paid through Medicare to respond to the unique need of being a Medicare-dependent rural hospital. Unfortunately, that legislation expires this year, and many of these rural hospitals will no longer be able to survive and provide access to their constituencies in those small rural areas of America unless we extend that legislation.

Today I and 16 of my colleagues will be introducing legislation to extend for 3 more years this particular program that is so vital to maintaining access to rural health care. I invite all my other colleagues to join us in this positive, bipartisan effort.

AN EXPRESSION OF OUTRAGE AT WHITE HOUSE ACTION ON ABORTION GAG RULE

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

Mrs. SCHROEDER. Madam Speaker, on this floor we deal with political issues all the time, but I must say there are also fundamentals of government that should not be tampered with on

this floor or by the administration. By putting in the gag rule, the administration is going right at one of the most essential fundamentals of government, and that is how a government treats over one-half of its citizens.

Think about this. They are saying that after May 4, one out of five of America's women who use federally supported planning clinics cannot hear all of their legal medical options. Why? I guess because they do not trust them. I guess they do not think they can deal with it. If they were able economically to go to other places, they could hear all of their options, but, no, not in a clinic.

The President has tried to tamper with this to make it look different, but it has not. American woman get it. They understand it.

Madam Speaker, I think it is outrageous that this is happening, and I certainly hope that before May 4 we can say that all citizens are going to be treated equally in this Republic, not just half or not just those who are wealthy enough to be able to use other sources.

MARTIN LUTHER KING, JR.

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

Mr. GILMAN. Madam Speaker, 24 years ago this weekend, I was a member of the New York State Assembly, returning to my home 90 miles south of Albany on the New York Thruway when I heard the shocking radio bulletins reporting that the Reverend Martin Luther King, Jr., was struck down by a cowardly assassin in Memphis, TN.

Madam Speaker, the brilliant life of Martin Luther King, Jr., was snuffed out, all too prematurely, but the ideals for which he dedicated his life were not snuffed out.

Today, nearly a quarter of a century after he was tragically taken from us, we are still striving to create a society of equal opportunity which he so eloquently called for. We still have a long way to go before his goals will be achieved, but at least he left for us a beacon of hope toward which we can all strive.

Madam Speaker, let us reflect on that sad day in American history and let us resolve to continue to live by the message of Martin Luther King: that hatred harms the hater as much as the hated, and that only love and tolerance can conquer hate.

PROPOSED EXTENSION OF MORATORIUM ON UNNECESSARY NEW REGULATIONS

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

Mr. EWING. Madam Speaker, I rise to invite my colleagues to cosponsor a bipartisan resolution I will introduce which encourages the President to extend the 90-day moratorium on unnecessary regulations for 1 year.

We need to curb the growth of Federal regulations. In recent years the level of Federal regulation has increased tremendously, and so has the economic cost of these regulations. It is estimated that the regulatory burden costs the American economy at least \$400 billion per year. This translates to \$4,000 per American household.

The President's 90-day moratorium has helped relieve the regulatory burden and has encouraged economic growth, but much more needs to be done. Removing the moratorium on May 1 will open the floodgates of new regulations on a fragile economy, and cripple the recovery just as it is getting underway. Extending the moratorium would speed economic recovery and encourage greater investment and economic activity in the long run.

I invite my colleagues to be original cosponsors of a resolution I will introduce calling on the President to extend the moratorium on unnecessary new regulations for 1 year.

□ 1230

ELIMINATE THE GAG RULE

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

Mrs. COLLINS of Michigan. Madam Speaker, the gag rule imposed on health care workers to prevent them from dispensing information on abortion at family planning clinics, cause all of us to lose in the end. When the rights of women and the rights of the poor can be hindered because of a blatantly arbitrary rule imposed by the Federal Government, everyone in this country suffers the consequences. There must be accountability when edicts such as the gag rule are dictated.

I emphasize that abortion is only an option. It is not inflicted, it is not a punishment, it is not a requirement. It is, and must continue to be, an option. When women are advised about the alternatives for having and keeping a baby, they must be informed about all of their choices. The Government of the United States should not mandate what an individual can and cannot hear when it comes to the life of that individual.

When individuals, who must use public health clinics are not entitled to the same rights as women who use private practices, a terrible precedent is set for our future. Madam Speaker, I urge the administration, and specifically the Department of Health and Human Services to take the muzzle

off—I urge them to eliminate the gag rule.

CBO'S FAMILY INCOME DATA: FAIR'S FAIR

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

Mr. ARMEY. Madam Speaker, today I received a very interesting letter from the Congressional Budget Office, and I'd like to share it with you. In a memo circulated last week, CBO left the period 1977-80 out of its family income gains measures. Beware of the sins of omission, my friends. The letter I received today confirmed my suspicions.

CBO's own flawed family income data shows that between 1977 and 1980, during Jimmy Carter's Presidency and the last years when Democrats controlled both Congress and the White House, virtually all—nearly 100 percent—of the net income gains in our economy went to the top 1 percent of income earners. The bottom 95 percent of earners either lost ground or barely managed to break even in a period when there was no total income growth at all.

All of a sudden, the period between 1980 and 1989 when Ronald Reagan was in office and the top 1 percent garnered 38 percent of the income gains seems pretty darn fair. The share of net average income gains going to the top 1 percent was about 160 percent higher in the Carter years than in the Reagan years. The fact is, under Republican stewardship of the economy, the top 1 percent went from claiming nearly 100 percent of the net income gains in the economy to less than 40 percent, according to the Democrat Congress' very own CBO.

Madam Speaker, there are few people more careless with the truth than self-righteous income redistributors. Madam Speaker, they can all come clean now: CBO has let the cat out of the bag.

BUDGETARY DAY OF RECKONING

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

Mr. MAZZOLI. Madam Speaker, prophetically in 1988 Benjamin Friedman, a graduate of Louisville Atherton High School, wrote in his book "Day of Reckoning," that the debt excesses of the 1980's would be followed by two things: One, a lack of growth in the economy in the 1990's because of the heavy debt placed on the economy, and also this debt would have to be paid by our children and grandchildren.

In a wise decision earlier this week, the House voted to devote some \$9 billion to reducing the crushing Federal

deficit, a very difficult decision, because we had to divert this money from domestic programs. Many of them are important. I voted for the House leadership budget which does treat human service programs more generously than the President would have done.

Madam Speaker, our children have a right to be educated and have adequate health care, but they also have a right, Madam Speaker, not to be saddled by a burden of debt and budgetary excesses placed upon them by their elders.

There is pain in reducing the deficit. But better, Madam Speaker, that that pain be borne by us and not by our children and grandchildren.

WOMEN ENTITLED TO FULL INFORMATION ABOUT HEALTH CARE

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

Mrs. MEYERS of Kansas. Madam Speaker, I rise in opposition to the gag rule. No matter what some would lead you to believe, this is not an abortion issue. It is a family planning issue. It is an issue of equity for poor women, and of free speech.

The law says no Federal money can flow to organizations that promote abortion as a means of family planning. Well, no organization does that, and no one here supports that. But this law is being interpreted by this administration as meaning that health care professionals cannot give women full information.

The gag rule prohibits title X counselors from telling a woman all of her options concerning her pregnancy, no matter how sick she is, no matter if she is carrying a seriously malformed fetus, no matter what her desperate condition might be.

As I have said before, this is not an abortion issue. In fact, the overwhelming majority of women who walk into a title X clinic are not seeking an abortion or abortion-related services or counseling. Rather, these women are seeking access to much-needed primary and preventive health care. They should be able to get full information about that health care.

IN OPPOSITION TO THE GAG RULE

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

Ms. WATERS. Madam Speaker, the Bush administration's guidance document does not change the restrictive nature of the gag rule regulation. It is just another slippery attempt by this administration to redirect women's rights. Why can't they just grant women complete access to information about their medical options during pregnancy?

Before the administration decided to get into the business of censoring medical information, thousands of title X clinics provided nondirective counseling and vital information for millions of women who sought it.

Madam Speaker, the Government has no business directing women to continue pregnancies against their will. Nor does it have the right to restrict medical information—no matter what the source. The war on women must stop.

ROOT FOR A REAL WINNER: THE UNIVERSITY OF CINCINNATI BEARCATS

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

Mr. LUKEN. Madam Speaker, I rise today to salute the University of Cincinnati and their basketball team.

Madam Speaker, it has been a long time since the University of Cincinnati got to the big show—but coach Bob Huggins and his team are playing in Minneapolis this week for the national title, and Cincinnati is fired up.

Madam Speaker, Cincinnati has a long history of excellence in basketball, but this year Cincinnati is treated by some as the Rodney Dangerfield of the final four—they do not get the respect they deserve. But Monday night that will all change.

Madam Speaker, if you are tired of the same old teams winning—Duke, Michigan, Indiana—join me this weekend in rooting for a real winner—the University of Cincinnati Bearcats.

CHARITY STARTS AT HOME

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

Mr. TRAFICANT. Madam Speaker, the President wants \$24 billion for Russia. The President says we must stabilize the ruble. Meanwhile, the dollar is going to hell.

But what gets me is Congress killed general revenue sharing, \$3 billion. It was too costly, \$3 billion for cities and States. Now States and cities all over America are going bankrupt, and Governors, good Governors like George Voinovich of Ohio, are behind the eight ball.

Madam Speaker, I say Congress should stop the \$24 billion to Russia and send it to the States and cities in America that are going bankrupt. Charity starts at home, and Congress had better start looking out for the home team.

TRIBUTE TO DR. CRAWFORD W. LONG

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

minute and to revise and extend his remarks.)

Mr. DARDEN. Madam Speaker, 150 years ago this week, a doctor from Georgia named Crawford W. Long changed the face of medicine forever. On March 30, 1842, Dr. Long performed the first operation using ether as an anesthetic. Since that time, the use of anesthesia has become routine in every significant surgical procedure, and the field of anesthesia has played a central role in minimizing the suffering associated with surgery.

The history of Dr. Long's career reveals a lifelong devotion to both his fellow man and the State of Georgia. After completing his medical education, Dr. Long returned to the small village of Jefferson, GA, which only 4 years earlier had been occupied by Indians. While focusing on providing health care to his rural community, he began to experiment with the effects of ether, and noticed its pain-relieving properties. Convinced that painless surgery was possible using ether, Dr. Long performed an operation to remove a tumor and the patient later assured Dr. Long that he did not experience the least degree of pain during the operation. This operation opened the door to tremendous advances in surgery.

Today, Dr. Long's statue occupies a prominent place in the Statuary Hall of the U.S. Capitol, and one of Georgia's finest hospitals bears his name. He is rightly remembered as one of America's greatest contributors to the field of medicine, and his story is a compelling example of our uniquely American spirit of creativity. I sincerely hope that today, 150 years later, we will look back to Dr. Long's tremendous contribution, and look forward to a future of American innovation in the field of medicine.

□ 1240

TRIBUTE TO THE LATE SENATOR JOHN HEINZ

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

Mr. MURPHY. Madam Speaker, just 1 year ago today, this Friday, at about noon, a tragic plane accident took the life of one of Pennsylvania's best and most promising public officials.

The plane accident that occurred took the life, the young life of Senator John Heinz. Just a few days before that, Senator Heinz had met with the members of the Pennsylvania delegation from both parties, discussing the needs of Pennsylvania, the jobs, the unemployment, the economy, the notch inequity, other things, the transportation system, matters that vitally concerned our State.

I think all of us here in this House could take an example from John

Heinz. I started campaigning with him on the same platform but with varying views 14 years ago in 1976. Although John Heinz and I differed on some issues, he was always a gentleman.

He never pointed a finger at the members of the opposite party and falsely accused them. He always just took the positive and the high road.

I would hope that here in this House, we can follow the example of John Heinz in that regard.

Mr. GEKAS. Madam Speaker, will the gentleman yield?

Mr. MURPHY. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. Madam Speaker, I join with the gentleman in this remembrance of John Heinz. He was as the gentleman has depicted him.

SPECIAL PROSECUTOR FILES CHARGES ON PACIFIC ISLAND CRIMES

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

Mr. DE LUGO. Madam Speaker, recently, the special prosecutor in Palau filed charges in two crimes which have hindered progress toward self-government in these Pacific islands for which our Nation retains trusteeship responsibility.

In one case, four people were charged in the 1985 assassination of Palau's first president, Haruo Remeliik. One pled guilty and agreed to testify against the other three.

One of those three was a political rival of Remeliik's who was a key figure in the election and administration of Remeliik successor, Lazarus Saliil—and now denies the charges.

In the other case, four people were charged in the 1987 killing of the father of a critic of a proposed relationship with the United States that Saliil advocated.

The Saliil administration tried to convict three people close to Saliil's political rival for the assassination in a trumped up case based on the statements of a heroin user who failed three lie detector tests, but their case was thrown out of court.

I make no judgment about the guilt or innocence of any of the accused in either of the cases brought by the special prosecutor. It will, of course, be decided in the courts.

But I am very pleased that action is being taken in them.

Speculation about the crimes has been divisive in Palau.

Allegations similar to the charges had been made to the Insular and International Affairs Subcommittee during the investigation we conducted when considering the proposal to develop the United States-Palau relationship.

The nature of the allegations and the failure of justice to be done for so long

makes it clear why many of us insisted that the Federal Government help Palau implement its special prosecutor law. In insisting on this help in spite of the strenuous objections of President Saliil and the Reagan administration, we were responding to many courageous leaders in Palau—as well as information that could not be ignored.

I will be giving Members further background on these allegations so that they can appreciate the need for the special prosecutor.

SUPPORT ASKED FOR FREEDOM OF ACCESS TO CLINIC ENTRANCES ACT

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

Mr. ATKINS. Madam Speaker, this Sunday I will be joining thousands of Americans from around the country who support abortion rights.

I will be marching because I believe in Freedom of Choice.

On Sunday, we will be exercising our fundamental rights of free speech.

But I am angry at some fanatical groups, such as Operation Rescue, who apparently do not believe in this kind of speech.

Instead, they prefer blocking access to health clinics.

They say they are saving the lives of unborn children, but what they are really doing is endangering the lives of women and preventing them from receiving essential medical advice and services, including cancer screening and pap tests.

Madam Speaker, Operation Rescue has the right to protest just like everybody else. But free speech does not mean the right to threaten violence against women, or to prevent the right of entry by chaining themselves to the doors of clinics.

That is why I ask my colleagues to send a clear message that such actions will not be tolerated. I ask my colleagues to cosponsor and pass H.R. 1703, the Freedom of Access to Clinic Entrances Act.

OVERTURN THE GAG RULE

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

Mrs. JOHNSON of Connecticut. Madam Speaker, I rise to urge the Congress to move quickly to overturn the title 10 family planning regulations known as the gag rule. The implementation guidelines recently issued by the administration do not clarify the regulations and do not restore the rights of patients to full information.

Let me say first how troubling these regulations are. The regulations say to women, "You cannot be trusted with

knowledge. Like children, if we tell you abortion is an option, you will take it."

How demeaning. Abortion is a deep, difficult, serious, tragic, harsh decision to make. No woman makes it lightly. No woman makes it if she has a choice. And frankly, if the Government gives her a choice, gives her honest access to medical care, she can be trusted with the knowledge to deal with her pregnancy.

But as demeaning as these regulations are to women in America, they also offer and are based on false assumptions. There is no access to full medical service for poor women today. That is the cruel irony of these regulations.

A CALL FOR THE RETIREMENT OF SPEAKER TOM FOLEY

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

Mr. BRYANT. Madam Speaker, with great respect for the many accomplishments in public life of Speaker TOM FOLEY, for the many personal sacrifices he has made for his country, and for his integrity and honesty, I nevertheless call today on Speaker TOM FOLEY to retire from the speakership at the end of this, the 102d Congress.

We Democrats are the oldest political party on Earth. Yet today in America, fewer and fewer Americans know who we are, where we are going, and what we stand for. Why? Because the person with the greatest responsibility to articulate our identity, our agenda, and our direction either cannot or will not do so. The person charged with being our political leader, explaining who we are, and rebutting those who say we are what we are not, refuses to be a political leader.

For TOM FOLEY, political leadership is not a responsibility which he relishes; for him political leadership is painful, and political combat, even when absolutely necessary in order to present the Nation with the Democratic alternative, is to be avoided, if at all possible. And, regrettably, for Speaker FOLEY, even management of the daily institutional operation of the House is an annoyance, making decisive management impossible.

There is an enormous willingness in this House to make hard choices—there are extremely fine people serving here, including Speaker FOLEY. But without leadership that knows where it is going, that wakes up in the morning with an enthusiasm for taking the fight for progress to the opponent, even a 102 vote majority is not enough to win on this floor, or to win the hearts and minds of the American people to our cause.

It is time for new leadership in this institution. I call on the Speaker to re-

tire at the end of this Congress. And I call on the Democratic membership of this House to nominate a new voice for our party, a new leader for our majority, and a new manager of the affairs of this House of Representatives.

PRESIDENT SHOULD APOLOGIZE TO ISRAEL

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

Mr. SCHUMER. Madam Speaker, if, as reported in today's newspapers, there is no evidence of any Israeli transfer of Patriot technology to China, then the President owes Israel an apology.

Through a series of leaks, bureaucrats in the State Department dragged Israel's name through the mud. Now it is announced in today's papers that a mission will announce that it found no evidence of any transfer of technology to China.

□ 1250

And while Secretary Baker talks about how damaging the leaks are, he is apparently doing nothing to find the source of them.

Adding insult to injury, the State Department then seeks to bury the exonerating mission's finding by releasing them on the same day as a new IG report on other charges, a report that has already been attacked internally at State, and will surely face more critical scrutiny.

Today I will seek an FBI investigation of where the State Department leaks came from and how they can be stopped.

Meanwhile, no mission is being sent to Saudi Arabia to investigate whether it is the source of the transfer. Clearly, the intention is to create a lingering suspicion of Israel on the Patriot issue. It seems that many in the administration seek to damage the very fiber of the American/Israeli relationship. This upsets supporters of Israel far more than any policy dispute on the loan guarantees.

TRIBUTE TO SENATOR KENT CONRAD

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

Mr. DORGAN of North Dakota. Madam Speaker, a short time ago Senator KENT CONRAD from North Dakota announced on the Senate floor that he would not be seeking reelection this year.

KENT is not only a colleague of mine who has campaigned with me for 18 years, he is also my closest friend and I rise today simply to pay tribute to the work he has done in the Senate.

KENT is a young man. He is one of the best and the brightest in this building, and yet a young man who at the end of his first term, early in his career decides that he does not wish to continue. I respect his wishes but am disappointed by his decision. I hope very much that all of us will understand and know the contribution he has made in his term in the Senate.

I hope all Members will join with me in wishing him well. I hope all of us will also continue to dedicate ourselves to the things he has dedicated himself to in his term in the Senate. He has been a tireless fighter for the interests of North Dakota, a tireless fighter for the best interests of this country.

This is a loss today, the retirement of a young man, a retirement of one of the best and brightest in the U.S. Senate. It is a loss not just for North Dakota, but it is a loss also for this country, and I pay tribute to the accomplishments of a young man who has made a difference in his public service for his country. Also I pay tribute to KENT's partner and wife, Lucy Calautti, who along with KENT has served the interests of our State and country.

PROVIDING FOR CONSIDERATION OF H.R. 2039, LEGAL SERVICES REAUTHORIZATION ACT OF 1991

Mr. BEILENSON. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 413 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 413

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2039) to authorize appropriations for the Legal Services Corporation, and for other purposes, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with the provisions of clause 2(1)(6) of rule XI are hereby waived. After general debate, which shall be confined to the bill and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

The SPEAKER pro tempore (Mrs. KENNELLY). The gentleman from California [Mr. BEILENSON] is recognized for 1 hour.

Mr. BEILENSON. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Madam Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only.

House Resolution 413 is the first rule providing for consideration of H.R. 2039, the Legal Services Reauthorization Act. A rule providing for further general debate on the bill and on amendments to it will be taken up we believe next week.

The resolution before us now provides 1 hour of general debate time to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives clause 2(1)(6) of rule XI, requiring a 3-day layover, against consideration of H.R. 2039.

Finally, Madam Speaker, after general debate, the resolution requires that the Committee of the Whole rise without the need of a motion, and provides that further consideration of the bill is not in order except by a future rule or other order of the House.

Madam Speaker, the sole reason that the Committee on Rules has recommended this unusual procedure, which we in no way intend to become a normal practice, is so that the House may begin general debate today on H.R. 2039, giving Members more time to recommend amendments to correct deficiencies they see in the bill as it was reported.

Members should know that the Rules Committee does intend to meet again to recommend another rule dealing with the consideration of amendments to the measure.

Madam Speaker, the bill would reauthorize for 5 years the Legal Services Corporation, which provides Federal funds for legal aid for the poor. The bill includes several new provisions to help ensure accountability and fairness in the delivery of legal services to the poor.

The existing restrictions on lobbying, on class action suits, and on the representation of aliens are maintained. The Judiciary Committee added several new restrictive provisions, including those that prevent LSC funds from being used in redistricting cases and that would restrict representation in evictions of individuals convicted of drug violations.

Madam Speaker, to repeat, House Resolution 413 provides for general debate only. I urge the adoption of the resolution so that we may begin the consideration of the bill today.

Madam Speaker, I reserve the balance of my time.

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

We are here today in an operation in frustration. There is no purpose to our being here today because what we have is a rule providing for 1 hour of general debate only. Then we must go back to the Rules Committee to grant another rule which may provide for additional general debate and for amendments. I imagine this operation today is just to keep the Members here. The last time

we did this was on H.R. 3732, the Budget Process Reform Act, and it did no good whatsoever.

So, Madam Speaker, I oppose the rule and will vote against the rule for that reason and for another reason as well. The Legal Services Corporation is quite controversial in its operation. Since its establishment in 1974 much criticism has been expended across these United States of ours. Its purpose is to help the poor, but in some areas they do not do that. They are always too busy to help somebody in shoddy clothes who really needs legal help. Therefore, I shall oppose the rule for the reason that the Legal Services Corporation is not performing its duty as envisioned by the Congress.

I would hope that the Rules Committee would not consider double rules on any measures in the future. A colloquy on that question was brought about in the Rules Committee yesterday. I think that the seed was planted, and unless there is a dire emergency it will not occur again.

Madam Speaker, I would like to correct some information I gave to several Members that I would not ask for a recorded vote on this measure. A wise man changes his mind, not that I am wise, but I intend to ask for a vote on the rule to demonstrate that I think this operation today is an operation in frustration.

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

Mr. BEILENSEN. Madam Speaker, I thank the gentleman from Tennessee for his comments. If I may say, in summary, and in finishing for our side here, the gentleman's comments were not unfair, but neither, in this gentleman's opinion, is the rule before us. The gentleman knows, as my colleagues have been told, that we will be back again, hopefully early next week, to discuss possible amendments to be made in order by the second phase of this rule, and I ask for Members' support of this rule.

Madam Speaker, I have no requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore. The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 263, nays 146, answered "present" 1, not voting 24, as follows:

[Roll No. 71]

YEAS—263

Abercrombie	Grandy	Pallone
Alexander	Guarini	Panetta
Anderson	Hall (OH)	Parker
Andrews (ME)	Hall (TX)	Pastor
Andrews (NJ)	Hamilton	Patterson
Andrews (TX)	Harris	Payne (NJ)
Annunzio	Hatcher	Payne (VA)
Anthony	Hayes (IL)	Pease
Applegate	Hayes (LA)	Penny
Aspin	Hefner	Perkins
Atkins	Hoagland	Peterson (FL)
AuCoin	Hochbrueckner	Peterson (MN)
Bacchus	Horn	Pickett
Bellenson	Horton	Pickle
Bennett	Hoyer	Poshard
Berman	Hubbard	Price
Bevill	Huckaby	Pursell
Billbray	Hughes	Rahall
Blackwell	Hutto	Ramstad
Boehlert	Jacobs	Rangel
Bonior	Jefferson	Ray
Borski	Jenkins	Reed
Boucher	Johnson (CT)	Richardson
Boxer	Johnson (SD)	Rinaldo
Brewster	Johnston	Roe
Brooks	Jones (GA)	Roemer
Browder	Jones (NC)	Ros-Lehtinen
Brown	Jontz	Rose
Bruce	Kanjorski	Rostenkowski
Bryant	Kaptur	Rowland
Bustamante	Kennedy	Roybal
Byron	Kennelly	Sabo
Campbell (CO)	Kildee	Sanders
Cardin	Kleczka	Sangmeister
Carper	Kolter	Sarpaluis
Carr	Kopetski	Savage
Chapman	Kostmayer	Sawyer
Clay	LaFalce	Scheuer
Clement	Lancaster	Schroeder
Coleman (TX)	Lantos	Schumer
Collins (IL)	LaRocco	Serrano
Collins (MI)	Laughlin	Sharp
Condit	Lehman (CA)	Sikorski
Conyers	Lehman (FL)	Sisisky
Cooper	Levin (MI)	Skaggs
Costello	Lewis (GA)	Skelton
Cox (IL)	Lipinski	Slattery
Coyne	Livingston	Slaughter
Cramer	Lloyd	Smith (FL)
Darden	Long	Smith (IA)
de la Garza	Lowey (NY)	Solarz
DeFazio	Luken	Spence
DeLauro	Machtley	Spratt
Derrick	Manton	Staggers
Dicks	Markey	Stallings
Dingell	Martinez	Stark
Donnelly	Matsui	Stenholm
Dooley	Mazzoli	Stokes
Dorgan (ND)	McCloskey	Sweet
Downey	McCollum	Swift
Durbin	McCurdy	Synar
Early	McDermott	Tallon
Eckart	McHugh	Tanner
Edwards (CA)	McMillen (MD)	Tauzin
Edwards (TX)	McNulty	Taylor (MS)
Engel	Mfume	Thomas (GA)
English	Miller (CA)	Torres
Erdreich	Mineta	Torricelli
Espy	Mink	Towns
Evans	Moakley	Trafcant
Fascell	Mollohan	Traxler
Fazio	Montgomery	Unsoeld
Feighan	Moody	Vento
Fish	Murphy	Viscolosky
Flake	Murtha	Volkmer
Ford (MI)	Nagle	Waters
Ford (TN)	Natcher	Waxman
Frank (MA)	Neal (MA)	Weiss
Frost	Neal (NC)	Wheat
Gaydos	Oakar	Whitten
Gejdenson	Oberstar	Williams
Gephardt	Obey	Wilson
Geren	Olin	Wise
Gibbons	Olver	Wolpe
Gilman	Ortiz	Wyden
Glickman	Orton	Yates
Gonzalez	Owens (NY)	Yatron
Gordon	Owens (UT)	

NAYS—146

Allard	Archer	Baker
Allen	Armey	Ballenger

Barrett	Hansen	Porter
Barton	Hastert	Quillen
Bentley	Hefley	Ravenel
Bereuter	Henry	Regula
Billrakis	Herger	Rhodes
Bliley	Hobson	Ridge
Broomfield	Holloway	Riggs
Bunning	Hopkins	Ritter
Burton	Houghton	Roberts
Callahan	Hunter	Rogers
Camp	Hyde	Rohrabacher
Campbell (CA)	Inhofe	Roth
Chandler	Ireland	Roukema
Clinger	Johnson (TX)	Santorum
Coble	Kasich	Saxton
Coleman (MO)	Klug	Schaefer
Combest	Kolbe	Schiff
Coughlin	Kyl	Sensenbrenner
Cox (CA)	Lagomarsino	Shaw
Crane	Leach	Shays
Cunningham	Lent	Shuster
Davis	Lewis (CA)	Skeen
DeLay	Lewis (FL)	Smith (NJ)
Dickinson	Lightfoot	Smith (OR)
Doolittle	Lowery (CA)	Smith (TX)
Dornan (CA)	Marlenee	Snowe
Dreier	Martin	Solomon
Duncan	McCandless	Stearns
Edwards (OK)	McCrery	Stump
Emerson	McDade	Sundquist
Ewing	McGrath	Taylor (NC)
Fawell	McMillan (NC)	Thomas (CA)
Fields	Meyers	Thomas (WY)
Franks (CT)	Michel	Upton
Gallely	Miller (OH)	Vander Jagt
Gallo	Miller (WA)	Vucanovich
Gekas	Molinari	Walker
Gilchrest	Moorhead	Walsh
Gillmor	Morella	Weber
Gingrich	Morrison	Weldon
Goodling	Myers	Wolf
Goss	Nichols	Wyllie
Gradison	Nussle	Young (AK)
Green	Oxley	Young (FL)
Gunderson	Packard	Zeliff
Hammerschmidt	Paxon	Zimmer
Hancock	Petri	

ANSWERED "PRESENT"—1

James

NOT VOTING—24

Ackerman	Dymally	Nowak
Barnard	Foglietta	Pelosi
Bateman	Hertel	Russo
Boehner	Levine (CA)	Schulze
Dannemeyer	Mavroules	Studds
Dellums	McEwen	Thornton
Dixon	Moran	Valentine
Dwyer	Mrazek	Washington

□ 1323

Mr. GRANDY and Mr. HALL of Texas changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 194

Mr. MORRISON. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Resolution 194.

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

There was no objection.

LEGAL SERVICES
REAUTHORIZATION ACT OF 1991

The SPEAKER pro tempore. Pursuant to House Resolution 413 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. 2039.

□ 1325

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. 2039) to authorize appropriations for the Legal Services Corporation, and for other purposes with Mr. CONDIT in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. GEKAS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

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

Mr. Chairman, a bedrock principle of our Nation is that, in the words of the Declaration of Independence, governments derive "Their just powers from the consent of the governed." In order to maintain this consent, it is crucial that our citizens have access to those instruments of government that affect them. In no case is this more important than with our Nation's legal system, which gives effect to citizens' rights and provides a mechanism to ensure that they will discharge their responsibilities as members of our society.

However, several decades ago, the perception grew that for many members of our society, access to the legal system was out of their reach economically. Left uncorrected, this lack of access would lead inevitably to a sense of alienation among large numbers of our citizens. To correct this situation, a bipartisan national consensus—including the Richard Nixon administration—formed around the proposition that the Federal Government has a role in addressing the crisis in the availability of legal services for the poor. This led to the establishment, in 1974, of the Legal Services Corporation.

Unfortunately, this sensible service-delivery mechanism has been subjected to years of bureaucratic bickering that distracted all parties' energies from the central purpose of ensuring this most basic of rights to all of our citizens. I am hopeful that the enactment of H.R. 2039 will bring this wasteful warfare to an end.

As reported out by the Committee on the Judiciary, H.R. 2039 restores a commonsense approach to ensuring legal representation of low-income Ameri-

cans. The bill is a real reform measure and a true compromise in an area of law that for too many years has been filled with contention. The chairman of our Subcommittee on Administrative Law and Governmental Relations, the gentleman from Massachusetts [Mr. FRANK], deserves great credit for his hard work in fashioning this compromise reform measure. Throughout the process of bringing this bill forward, he resisted extremes and followed a careful, practical, non-ideological approach.

H.R. 2039 reauthorizes the Legal Services Corporation through fiscal year 1996. In order to address criticisms of the existing Legal Services Program, the bill makes certain changes to current law—changes which I support. For example, while maintaining most of the restrictions that currently apply to the Legal Services Corporation and its grantees—including those dealing with class actions, grassroots lobbying, and administrative representation now found in annual appropriations riders—the bill adds new restrictions in the areas of congressional and State legislative redistricting, and in eviction proceedings involving individuals convicted of drug violations.

On a matter of concern to some Members, let me make it clear that under this bill no LSC Federal funds or private funds may be used for publicity and propaganda—those political activities commonly known as grassroots lobbying. Congressman FRANK will be offering an amendment to prohibit the use of any public funds, such as from State or local governments, for this prohibited purpose as well.

The bill incorporates a number of provisions to protect against meritless litigation and to increase the ability of litigants to defend against cases that are not well grounded, rather than being forced to settle such cases.

H.R. 2039 also improves fiscal accountability by mandating time-keeping for all attorneys and paralegals, adding new protections against theft and fraud, and requiring the Corporation to monitor performance effectively.

These changes and others contained in H.R. 2039 put the Legal Services Corporation back on the right track, allowing it to leave controversies behind and to concentrate on its important mission of providing legal services to the poor. H.R. 2039 is supported by, among other groups, the American Bar Association and the State Bar Associations of virtually every State. It is supported by the civil rights community and senior citizens, labor, and religious groups.

I strongly urge my colleagues to join in supporting this carefully crafted committee bill.

□ 1330

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

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

Mr. Chairman, there are many of us who, although we have some objections, and some corrections and suggestions to be made to improve the bill, will still lean very heavily toward supporting the final reauthorization that this legislation commands, and we will be working very closely with everyone who wants to improve the present bill to ensure that prospect as the days roll on and we enter the amendment process next week.

So, please stay tuned. We have a lot yet to debate, but many of us, as I say, even opponents, long-time opponents, of the legal aid concept will be gathering forces to try to support reauthorization, given some salutary amendments that many of them will be supporting.

Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. GEKAS] very much for yielding to me at this point in time to discuss what is indeed a very important piece of legislation. I think, as the gentleman from Pennsylvania has just stated very aptly, all of us who are involved in this debate, at least those who have been involved through the Committee on the Judiciary on both sides of the aisle, are intent upon seeing legal services to the poor provided efficiently and effectively through the system of the Legal Services Corporation. We want to see this very important function revitalized through a new authorization which has not been done for many years now. We want to see the corporation board be able to go forward and do its job free of political concerns that have been so strongly felt over the past many years now.

Mr. Chairman, I think the disagreements—to the degree that they exist, and I am sure they will when we get to the amendment process—are over the nature of trying to accomplish these common goals to take some of the politics out of this, to make the system work more efficiently, and to provide accountability. I do believe though that all of us agree in general terms that those are principles that this authorization bill should achieve. When we get to the amendment process, it seems to me that it is important to keep in mind a couple of points.

One of them, Mr. Chairman, is that there are past histories of legal service involvement in activities which are abhorrent to many of our colleagues for reasons that are apparent when one examines the record. That record, however, has been improved over recent years. Some of the problems that exist with legal services fortunately have been resolved or are on the way to being resolved. However we must remember that those problems that ex-

isted before could occur again and that we need to shape this authorization legislation to make sure that they are addressed adequately for the future.

Some of those problems included—as the gentleman from Texas [Mr. BROOKS], my chairman, pointed out a minute ago—lobbying activities which were far in excess of what normally would be acceptable for legal services to do. We also saw them involved in redistricting activities, and this is another reapportionment year, so we are reminded of that. We saw them—and we see them still—involved in some areas in agriculture and labor law matters where they have gone to the excesses and have played the game in ways that, frankly, are unfair to one side or the other, and there are others that I will not pass on as a litany, but there were many abuses at one time in this corporation.

Some of the forums that I am going to suggest out here, and some of my colleagues on this side of the aisle, include putting competition into the system. We right now have a grant system where money goes from the Federal Government to nonprofit organizations around the country who have exclusive franchises to provide these legal services to the poor. It seems to me that we need to have competition, not in the sense of the least-cost-effective program that might be offered, but competition in the sense of quality. And variety in the type of service in deficiency and accountability that a program might offer so that every so often the Legal Services Corporation national board can review the franchisee and look to see if there is somebody else who might offer a better service to the country, more efficient, with better accountability and more effectively. That does not mean we are going to kick everybody out.

The first thing that I think we need to do is that should be by the way phased in program, something that we have phased in, something that the Legal Services Corporation board can experiment with for a while and then adopt. But it needs to be something we authorize permanently in this bill and not have it come back here if we are, for some reason, delayed in taking an authorization bill up again like we have this time.

Second, and I think equally important to that, we need to put a broad restriction on all outside funds and the use of those funds that might go to those nonprofit organizations that are not Federal dollars. Right now they receive bar moneys in some States and local government moneys, and they do things that are prohibited with Federal moneys right now with those funds. I am very pleased to hear that the gentleman from Massachusetts will be offering an amendment to address that problem in the area of lobbying. However, I do not think that we should stop

there. I think we should have an across-the-board prohibition on the use of any Federal funds, or State funds, or municipal funds for any purposes, or bar funds or whatever, for any purposes prohibited by the authorization and by Congress. That does not mean ineligible clients cannot receive assistance, but if the activities indulged in by the legal services lawyers are something this body does not want them to do, then they should not do it under the color and name of the legal services, no matter what the source of funds.

Third, we do need to address lobbying. Some of that there may be some debate over; I am sure there will be, over how well it is addressed, but we are on the right track generally, and I am pleased to see that, but we also need to prohibit redistricting. We need to prohibit their activities, I should say, in redistricting activities. That is a highly political area, just like abortion and some other volatile areas are in the law today, and Legal Services Corporation needs to focus—it seems to me—on those things that are essential to the poor, the everyday, critical issues of landlord-tenant matters, of issues to the poor in terms of providing housing and every other matter. We need to get them to focus on those things which are critical to the poor and to expend the resources and direct them in the directions that will make a difference to the poor in the sense of everyday problems rather than in the past history which legal services all too often has done, and that is to look out for class action suits to try to change the conditions of the country as some of those attorneys in their wishes, and I understand their general principles, would like to do. There has been a desire to change the poverty laws of the country to eliminate poverty and to do a lot of crusading with legal services funds. That should not be the focus of the Legal Services Corporation. We need to get them out of that politicized arena and get them back focused again on providing the everyday bread and butter legal services to the poor.

Mr. Chairman, that is the objective this Member has. I think my colleagues on this side of the aisle share it. We look forward next week, to when we can debate the specific amendments and improve this legislation.

I thank the gentleman from Pennsylvania [Mr. GEKAS] for having yielded this time to me today.

Mr. BROOKS. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I want to thank the chairman of the full committee, the gentleman from Texas [Mr. BROOKS]. I think we sometimes overthank each other, but in this case it seems to me appropriate. I want to express to the ranking minority member, and the gentleman from Minnesota who is a

member of the subcommittee, the gentleman from New Mexico who is absent, as well as the staff on the minority side, as well as the chairman and others, my gratitude.

I hope the Members have understood that the tone today is not an accident. Yes, there are differences that we will be debating on Wednesday. I think it is fair to say that they will be the smallest differences we have ever had in discussing the legal services piece of legislation since I have been here. That is because there has been a genuine spirit of cooperation between the majority and minority. It does not resolve everything, and it should not have resolved everything. There are some things that we take to the floor to decide. But I think we have narrowed the focus.

For example, Mr. Chairman, the gentleman from Florida [Mr. MCCOLLUM] talked about redistricting. At full committee we adopted an amendment that says, "You cannot get engaged in redistricting in any partisan type of situation." So, congressional and State legislative redistricting, and municipal where it is partisan, county commissioners, that has been removed from their jurisdiction, and we may even be going further in that.

In particular I would like to stress to Members who may remember the last time we debated this on the floor at length, 1989. We had a very vote. This is not that fight.

□ 1340

The differences we debated in 1989 are far sharper than they are today. This does not mean we do not have important differences, but we are not talking about the kind of stark differences we were in 1989. We are talking about legal services. I appreciate the gentleman from Florida [Mr. MCCOLLUM] and others acknowledging some of the things they found to be problems in the past are less problematic. Let us be clear as we talk about problems in the past that some of the problems in the past, particularly in the seventies—I must say—came from the legal service attorneys and grantees. But during the 1980's, more of the problems came, frankly, from members of the board and their executives.

Mr. Chairman, we had a record where board members were appointed who frankly were not doing their jobs very well. I will always remember the comment made by the gentleman from Virginia, who no longer serves with us, Mr. Butler, who said in 1982, after the new board members had been appointed by the Reagan administration and he listened to some of the things that they had been doing, "My God; our crazies are worse than their crazies."

Now, I think what we have managed to do is diminish the reign of both sets of crazies. But let us remember that there were abuses on both sides. There

were problems that the Senate had with regard to appointments. There were chief executives who were thrown out.

We now have a better functioning, albeit not perfect, Legal Services, than we had before.

I will appeal to Members now and again next week not to refight the old fights, not to refight those grantees that went too far, those board members who were abusers, those chief executives who had to be kicked out. Let us talk about how this program ought to function.

Mr. Chairman, I think we have a bill which meets all the legitimate concerns. There will be some differences at the margins. We will debate those.

Let me say with regard to competition, I think it is a little bit of a mistake here to talk about competition. Ordinarily the benefits of competition are more efficiency, et cetera.

Legal Services attorneys are now by far the lowest paid lawyers working anywhere in the Federal Government. You take the average bill from a firm that has got a contract with the RTC or the FDIC and it is probably more than an entire State of medium size gets to fund all of legal services for all the poor people.

Mr. Chairman, we are talking about bright and dedicated attorneys who work for salaries of \$20,000 to \$25,000 a year. We and the Legal Services Corporation program are the beneficiaries of some of the most dedicated public service provided anywhere in this country by young attorneys who voluntarily work for one-third, one-fourth, in some cases one-tenth of what they could get elsewhere.

We should monitor it, we should check their zeal if it is excessive, but to institute that kind of competition first with the lowest paid lawyers in our Government when we ignore that kind of operation in the FDIC and the RTC and everywhere else, seems to me a mistaken set of priorities. We get a very great bargain in Legal Services.

We have improved it in the past. The gentleman from Florida [Mr. MCCOLLUM] had an amendment which is now in effect that says that the majority of any board of any local Legal Services Corporation has to be selected from that bar association in that area, and we have enforced that and made them stick to it.

We are restricting lobbying of the grass roots sort. We are restricting redistricting. We are keeping them to their essential purpose.

I would only close by saying this, Mr. Chairman: People are going to hear, as they always do in this situation, horror stories. Note the date on those horror stories. They have gotten pretty old.

The abuses Members will hear will be the abuses of the seventies and the early eighties in terms of this Congress. We are not refighting old battles;

we are setting forward a charter for a group of enormously dedicated people who do very important work for lower income people in this country.

Mr. Chairman, I hope the House will be supportive of the work we have done.

Mr. GEKAS. Mr. Chairman, I yield 3½ minutes to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Chairman, I rise in support of the efforts of our colleagues, Mr. STENHOLM and Mr. MCCOLLUM, to implement essential reforms for the Legal Services Corporation.

I am particularly supportive of the provisions directed at problems facing the agricultural community because of the activities of Legal Services Corporation grantees.

While I support the concept behind the Legal Services Corporation, I believe many legal services attorneys have overstepped their authority in the past few years and forced many good farmers to go bankrupt and lose their farms.

For many, many years, there has been a close working relationship between farmers in my district and the migrant workers they employ. When the Migrant and Seasonal Worker Protection Act became law, the farmers tried their best to comply with the law.

Unfortunately, not every farmer knew every provision of the law and minor infractions resulted in court cases brought against farmers by attorneys of Legal Services Corporation grantees. These are not, in most instances, flagrant violations. For example, suit has been brought because a farmer forgot to write the designation "U.C." for unemployment compensation on the wage statement one week. Every other week the "U.C." was written in the appropriate block. The proper amount was deducted from the worker's pay each week; but, because of a minor oversight one week, legal action was taken. Another case involved a farmer who had not displayed the required MSPA poster.

Finally, there was a case where an unemployed migrant family approached a farmer and requested work. The farmer had no work for the family; however, they pleaded for a place to stay overnight. They had two small children with runny noses and no shoes. The farmer, concerned about the children staying outside at night, finally gave in and told them they could stay the night. However, the only room he had left was in a facility he was no longer using. His only request was that they leave first thing in the morning. In the morning, the family refused to move and continued to plead with him for employment. He finally acquiesced and provided the father with a job. He then tried to move the family to acceptable housing, but they refused to leave the trailer in which they had been staying.

The father eventually quit his job with the farmer. However, he still refused to leave the trailer. A magistrate wrote an order requiring the family to leave, but it was not enforced. The Legal Services Corporation grantee entered the picture and threatened the farmer with a lawsuit. While the farmer did nothing wrong, he finally ended up paying the migrant worker \$650 in damages plus his own legal fees.

I have outlined some other cases which illustrate this point in a series of Dear Colleague letters I have sent. While these issues needed to be addressed, they did not require lawsuits.

Mr. Chairman, migrant labor is important to the 19th Congressional District in Pennsylvania. Farmers need the migrant workers and the workers need the farmers. Farmers know if they abuse the workers, they will not get a good day's work for a day's pay. There is every reason for them to try to work things out. In fact, most of the farmers would be quite willing to negotiate with the migrant workers and their attorneys to avoid court proceedings. Negotiation, however, does not appear to be on the agenda of the advocacy groups funded through the Legal Services Corporation. At this point, the farmers do not trust the workers and the workers do not trust the farmers. Some of these individuals worked together harmoniously for years before overzealous Legal Services grantees came on the scene.

The sad part of this story is that for every farmer that goes out of business because of unnecessary lawsuits, numerous migrant workers become unemployed. Before lawsuits are filed, we need to require that administrative remedies be exhausted. This action protects the farmers and the farmworkers alike.

Mr. Chairman, I support the original mandate of the Legal Services Corporation to provide affordable, effective legal representation to those who cannot otherwise afford it. What I question, however, is the unfair treatment of hardworking farmers by certain Legal Services Corporation grantees whose efforts are of questionable long-term benefit to the well-being of migrant workers.

I urge my colleagues to support the reform efforts offered by Mr. STENHOLM and Mr. MCCOLLUM aimed at providing accountability to stem the unethical and predatory practices of some grantees.

Mr. BROOKS. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island [Mr. REED], a distinguished member of the Subcommittee on Administrative Law and Governmental Relations of the Committee on the Judiciary.

Mr. REED. Mr. Chairman, I thank the gentleman from Massachusetts [Mr. FRANK], the chairman of the Subcommittee on Administrative Law and

Governmental Relations, and the gentleman from Texas [Mr. BROOKS], the chairman of the Committee on the Judiciary, for their efforts.

Mr. Chairman, a few hundred yards from here is the Supreme Court. Engraved above the entryway to that great institution is the motto "Equal justice under law." That is a basic tenet of our American system of government.

For thousands of people, the Legal Services Corp. ensures that that motto is not simply a cold metaphor, but it is a vital and vibrant reality. And it is important to recognize that as we consider this legislation.

Mr. Chairman, the Legal Services Corp. provides assistance for low income Americans. It gives them their day in court. The base of our system of justice is that everyone does deserve that day in court and also the representation to make it effective.

□ 1350

The Legal Services Corp. deals with the issues that are important to working people throughout this land. Thirty-one percent of their cases are with respect to family law. Twenty-two percent involve housing issues. Seventeen percent are with respect to income maintenance for families. Eleven percent are with respect to consumer cases.

Of the remaining 19 percent of their caseloads, it deals with education, employment, health, and individual rights.

These are vital issues for all Americans. Low-income Americans need access to our courts just as the wealthy do and have such access.

The legislation before us attempts to impose a balance between the need for equal, fair representation and a system that operates fairly, reasonably, and efficiently. I believe the legislation has accomplished that goal. It is imposing local control, local priority setting, local management, and a commitment to the highest standards of professional conduct.

In sum, this legislation lays out an appropriate, proper legal agenda, not a political agenda, consistent with our highest ideals and aspirations as a nation. It imposes restraints, wise restraints on the operation of Legal Services Corp. in terms of record-keeping and many, many other aspects of their operation. It is legislation that we must support, if we do indeed believe that the motto "Equal justice under law" is something more than words.

Mr. GEKAS. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I rise today to discuss H.R. 2039, which would authorize the Legal Services Corporation [LSC]. The LSC has lacked formal authorization by Congress since 1980—

and for good reason. What started as a noble cause to help the poor obtain legal counsel deteriorated into a tangled web of partisan politics.

The problems that have plagued the LSC in years past continue to this day. As a result, the Legal Services Corporation reauthorization bill is very important for implementing needed reforms of the LSC. The bill before us today, however, will not do that without further amendment.

A series of amendments will be offered to provide for real reform of the LSC. I would encourage my members to support this effort.

If the Rules Committee will grant it, I will also be offering an amendment to this bill. My amendment would bring some fiscal integrity to the Legal Services Corporation Board, which—based on its latest budget request—is obviously lacking.

For fiscal year 1993, the Legal Services Corporation Board has sent to Congress a budget request of \$525 million. This represents a 50-percent increase over the fiscal 1992 funding level of \$350 million.

We should be appalled by this request. It is disingenuous—and the LSC Board knows it—for at least two reasons.

First, the request promotes false hopes among the very people the LSC is designed to help—the underprivileged and the poor who cannot afford proper legal representation. Legal Services is not going to get a 50-percent funding increase. This insincere request will raise sincere expectations for individuals across the country who legitimately need legal services provided by the Legal Services Corporation.

The second reason the LSC Board request is disingenuous is that it sets up Congress to be the bad guy. My colleagues who support the LSC should take notice. Make no mistake, it will be you who will be accused of not fully supporting the LSC when a appropriation far below the requested \$535 million comes to the floor later this spring.

I sit on the Commerce, Justice, State Appropriations Subcommittee, and I know there is no possibility of this request being funded in our fiscal year 1993 bill. The LSC Board has made funding LSC activities an impossible task for fiscal year 1993. No matter what we do on our subcommittee, we will be accused of not supporting the LSC.

As a result, I will be offering an amendment to the Legal Services Corporation reauthorization bill to bring some fiscal integrity to the program.

Instead of authorizing "such sums" as H.R. 2039 currently reads, my amendment would authorize \$395 million for fiscal year 1993 and increases pegged to inflation through fiscal year 1996; \$395 million is a 14-percent in-

crease over the \$350 million appropriated for fiscal year 1992.

Although the President does request funds for the Legal Services Corporation, that request does not go through the OMB review process. In fact, there is no real oversight over the Board's requests—except what we provide. Therefore, it is our responsibility to bring fiscal responsibility to this program.

Five members of the LSC Board, including two former Members of this body, also recognize the absurdity of a 50-percent budget increase. These LSC Board members issued their own minority report in response to the request of the overall LSC Board. The minority report contains the \$395 million request that is in my amendment.

These five members of the LSC Board recognize that we are facing a \$400 billion deficit for fiscal year 1993. Apparently this message has not been heard by a majority of the LSC Board members. I include, with my statement, the entire report of the minority board, and ask that it be entered into the RECORD.

The minority report recognizes the potential damage a 50-percent requested increase could do to the Legal Services Corporation. In fact, the report states,

It is our view that for the Corporation to request a 50 percent increase over its 1991 appropriation risks damaging the relationship with Congress it has worked so hard to foster.

I concur with this assessment.

The report further states,

Entities which clamor for unrealistic appropriation increases, particularly in times of unusual economic hardship and budget crises, often discover that such a strategy is counterproductive and can hinder rather than enhance the likelihood of a higher appropriation.

Again, I concur with this assessment.

As I mentioned, the minority report contains an alternative budget request for \$395 million for LSC activities, a 14-percent increase over fiscal year 1992, but a far cry from a 50-percent increase. And \$395 million is a much more realistic ceiling for the Appropriations Committee to work from.

And I must emphasize that my amendment would authorize a ceiling, not a floor. I personally believe a 14-percent increase is too much. In today's budget climate, increases of this magnitude for any Federal program are out of the question.

The Bush administration requested \$350 million for fiscal year 1993 which represents a freeze on funding from the fiscal year 1992 level. I would be inclined to support such a freeze. However, my amendment gives my colleagues more latitude than that—and for an authorization amount, I believe, having some latitude is reasonable.

My amendment allows those Members who choose to do so to continue their support for the Legal Services Corporation. After all, a 14-percent in-

crease will rival or surpass nearly every other Federal program. But my amendment also gives those of us concerned about fiscal restraint the opportunity to send a message to the LSC that not only is a reform of its procedures due, but so is a reform of its view on funding.

I would urge Members to support my amendment when we vote on this bill next week.

Mr. Chairman, I include for the RECORD the alternative budget request for fiscal year 1993 to which I referred:

ALTERNATIVE BUDGET REQUEST FOR FISCAL YEAR 1993

LEGAL SERVICES CORPORATION,
Washington, DC, March 13, 1992.

Hon. NEAL SMITH,

Chairman, Subcommittee on Commerce, Justice, State, the Judiciary and Related Agencies, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: Enclosed please find a copy of an "Alternative Budget Request," a minority report of the Legal Services Corporation Board of Directors concerning the Corporation's FY 1993 Budget Request. You will notice that this request is for the amount of \$395 million for FY 1993, which is \$130 million less than The Budget Request of \$525 million which you have already received.

We would like you to note that the list of supporters of this Alternative Budget Request does not constitute an insignificant minority of the Corporation's Board of (eleven) Directors. To wit, at the January 1992 Board meeting, the \$525 million budget request was approved by a vote of just 5-2. The Alternative Budget Request has the sound endorsement of five (5) members of the LSC Board, including both of the Corporation's Directors who have served in Congress. As you can see, this request reflects a sober assessment of current economic conditions, and the reality of fiscal constraints in the appropriations process. In this request, we have sought to strike a balance between the need for more legal assistance for poor Americans and the practical concerns of a request for an increase in the Corporation's appropriation.

We gratefully acknowledge your consideration of this submission and the enclosed document.

W.L. KIRK, Jr.,
GUY V. MOLINARI,
JEANINE E. WOLBECK,
NORMAN D. SHUMWAY,
PENNY L. PULLEN.

LEGAL SERVICES CORPORATION PROPOSED BUDGET FOR FISCAL YEAR 1993

(In thousands of dollars)

	Fiscal year 1992 appropriation levels	Proposed fiscal year 1993 increase	Proposed fiscal year 1993 budget
	(1)	(2)	(3)
I. DELIVERY OF LEGAL ASSISTANCE	318,276	42,732	361,008
A. Field Programs	315,930	42,402	358,332
1. Basic field programs	296,755	40,067	336,822
2. Native American programs and components	7,848	1,060	8,908
3. Migrant programs and components	10,839	1,463 (188)	12,302
4. Special emergency funds	488		300
B. Supplemental service provision	2,346	330	2,676

LEGAL SERVICES CORPORATION PROPOSED BUDGET FOR FISCAL YEAR 1993—Continued

(In thousands of dollars)

	Fiscal year 1992 appropriation levels	Proposed fiscal year 1993 increase	Proposed fiscal year 1993 budget
	(1)	(2)	(3)
1. Law school clinics	1,229	221	1,450
2. Supplemental field programs	1,117	109	1,226
II. SUPPORT FOR THE DELIVERY OF LEGAL ASSISTANCE	20,876	(1,284)	19,592
A. Training and technical assistance	1,997	(1,297)	700
1. Regional training centers	697	3	700
2. National resource/training center	1,300	(1,300)	—
B. Other support	18,879	13	18,892
1. National support	8,079	0	8,079
2. State support	9,263	0	9,263
3. Clearinghouse	966	9	975
4. CALR grants	571	4	575
III. CORPORATION MANAGEMENT AND GRANT ADMINISTRATION	10,848	3,552	14,400
A. Management and administration (W/O carryover)	9,774	2,226	12,000
B. Board initiatives	977	1,023	2,000
C. Client training/self-help programs	0	300	300
D. Special contingency funds	97	3	100
Total proposed budget	350,000	45,000	395,000

ALTERNATIVE BUDGET REQUEST

1. INTRODUCTION

In recent years, LSC has climbed above the acrimony and divisiveness which, in the past, has too often come to symbolize the Corporation's public image. As a result of the Corporation's responsiveness, Congress has shown an increased willingness to fund LSC at higher levels. In fact, Congress saw fit to raise the Corporation's appropriation last year by 7 percent. Congress did so at a time when cuts for other social services were imminent, and the Corporation and its recipients were grateful for this increase. At the same time, it is our view that for the Corporation to request a 50 percent increase over its 1991 appropriation risks damaging the relationship with Congress it has worked so hard to foster.

In fact, we encourage and support additional funding for this critical program, and under different economic circumstances would support an ultimate budget mark as proposed by the LSC Board's majority. However, we believe that it may be unreasonable for the Corporation to request a 50 percent increase over its FY 1992 appropriation.

As the Legal Services Corporation Board of Directors considers the level of an appropriate budget request to the Congress, it is important to keep in mind the numerous factors which influence such funding decisions. We recognize that Member of Congress who participate in the appropriations process are faced daily with difficult choices. Indeed, they must strive to strike a balance between the meritorious programs seeking increases in funding for worthy causes and the current economic climate—where funds are severely limited.

Legislators often make funding decisions based on rewarding those who strive diligently to do the best they can within the constraints of modest budget requests. Entities which clamor for unrealistic appropriations increases, particularly in times of unusual economic hardship and budget crisis, often discover that such a strategy is counterproductive and can hinder rather than en-

hance the likelihood of a higher appropriation.

It is in this environment, and with these concerns in mind, that the undersigned members of the Legal Services Corporation Board of Directors wish to submit an alternative budget request—a request which recognizes that current funding levels are insufficient to meet the legal needs of the nation's poor, but also recognizes the extraordinary economic and fiscal circumstances in which the country and its elective representatives currently find themselves. In light of such circumstances, and with an eye toward expanding the civil legal resources available to poor clients, a request of \$395 million for FY 1993 seems both reasonable and worthy of serious consideration by the Congress. This increase would help fund initiatives which could significantly expand legal assistance, while utilizing the most economically effective and efficient means of mobilizing such assistance. Let us not be misunderstood—we encourage continued future increases in the Corporation's federal appropriations, aiming toward the majority budget mark . . . and beyond, for future funding years. But dramatic increases today seem unreasonable to us.

It is, therefore, our recommendation that the Congress consider an appropriation of \$395 million for the Legal Services Corporation for FY 1993, followed by later increases. A series of annual increases would probably help programs expand, since the purchasing of capital assets, hiring and training of attorneys, paralegals and support staff and the efficient expansion of services all require time and careful planning.

Again, it must be emphasized that this alternative budget request is not intended to express a disagreement with the need for additional services to the poor. Funding at the levels requested by the majority would be of great benefit to the poor in this country, and we would request that Congress attempt to reach that level, and above, as soon as possible with due regard to the sources of income, as well as the ability of a program to grow effectively and efficiently within a relative funding period. In no way is this budget request intended to indicate that we would not support increased funds in whatever amount approved by Congress.

II. BUDGET IN BRIEF: DIRECT DELIVERY OF LEGAL SERVICES

A. Delivery of legal assistance

The Alternative Budget Request proposes an allocation of approximately 91 percent of the requested appropriation to fund direct delivery of legal services at the local level. To this end, \$361,008,000 is earmarked to fund direct legal delivery of legal assistance by basic field programs, Native American programs and components, and Migrant programs and components. An additional \$2,676,000 is allocated for funding law school clinics and supplementary field programs.

This budget request proposes \$336,822,000 for basic field programs, \$8,908,000 for Native American programs and components, and \$12,302,000 for Migrant programs and components. These figures represent an increase of approximately 14 percent over the amount of funds available for these purposes in 1992.

The request for special emergency funds is \$300,000, which is \$188,000 less than the FY 1992 mark. Past experience has shown that, with the addition of the \$300,000 requested in this budget, the Corporation will have adequate funds in reserve to meet any unanticipated emergencies.

Finally, \$2,676,000 is requested for supplemental service, including \$1,450,000 for law

school clinics and \$1,226,000 for supplemental field programs. This is a 14 percent increase over the amount available for supplemental service provision in FY 1992.

B. Support for the delivery of legal assistance

This request includes \$19,592,000 for the support of delivery of legal services. Support includes funding for regional training centers, national and state support entities, the Legal Services Clearinghouse and grants to fund computer assisted legal research. The FY 1993 request for support is approximately 9 percent less than was available for support in FY 1992. One reason for this decline is a decision not to request funds for the National Resource/Training Center. This entity was funded at \$1,300,000 in FY 1992, but the Board has not independently verified the necessity of these funds, or of the product which this center is supposedly producing. It seems that an emphasis on allocating scarce resources to direct delivery mechanisms instead of creating a potential redundancy in support functions is in the best interests of the poor, and a wiser and more efficient use of public resources.

This budget includes \$8,079,000 for national support centers and \$9,263,000 for state support centers—the same amounts available for these operations in FY 1992. Marginal increases for the Legal Services Clearinghouse and computer assisted legal research are recommended, funding at \$975,000 and \$575,000, respectively, for FY 1993.

Support centers provide little actual representation for poor clients: most of the support centers' "clients" are legal services programs and other publicly and privately funded organizations. In addition to producing publications and training materials, support centers lobby Congress, federal agencies and state legislatures on areas of interest related to their specialties in law. Support centers monitor legislation and the adoption of regulations that are of interest to their constituencies. Though the centers do occasionally represent poor clients, and sometimes provide co-counsel for legal services programs, field programs are the primary source of direct legal assistance for the indigent. Therefore, this budget proposes to direct the lion's share of LSC's anticipated budget increase to the field: to those entities which provide day-to-day legal assistance to poor people.

C. Corporate management and grant administration

This request anticipates \$14,400,000 for Corporation Management and Grant Administration, which includes more than double the FY 1992 mark for Board Initiatives and a new line to provide training and self-help services to assist clients in *pro se* representation. The breakdown of this \$14,400,000 is as follows: 1.) \$12,000,000 is requested for management and grant administration; 2.) \$2,000,000 is requested for board initiatives. These initiatives include the funding of demonstration projects for the purpose of maximizing the leveraging of available resources and using innovative techniques and funding mechanisms to increase the efficiency and effectiveness in the delivery of legal assistance; 3.) \$300,000 is requested to fund client training/self-help programs. We have evidence that self-help programs have proven extremely successful as a cost-efficient alternative to costly litigation in certain areas of the law. For example, numerous self-help programs around the country have been able to provide the kind of training and support which allows plaintiffs in child support cases to effectively represent themselves. When clients are properly trained and prepared,

their *pro se* representation frees up legal aid attorneys to serve clients in other cases. This kind of activity is a vital component in the overall matrix of legal services delivery, and the \$300,000 requested for self-help in this budget would enable a large number of clients to effectively represent themselves in their personal pursuit to vindicate their rights, and; 4.) \$100,000 in special contingency funds, to allow Corporation management to contend with unforeseen minor budgetary adjustments.

Concluding Remarks

The problem of access to justice for the poor in our country is without a doubt one of the most pressing social concerns. Meeting this need is not just an obligation of the federal government. The private bar, social service organizations and established charities can all play an important role in the provision of legal assistance for the indigent. This budget request reflects a recognition of the continuing need to fund legal services, as well as a responsible and pragmatic approach to the fiscal realities confronting the Congress and the nation. As previously stated, the undersigned members of the Legal Services Corporation Board of Directors welcome any increase in funding for civil legal services, without regard to its source. And, we will continue to work diligently to make access to justice a reality for all Americans. In this effort, we request that the Congress of the United States consider this budget request on its merits.

W.L. KIRK, JR.,
GUY V. MOLINARI,
JEANINE E. WOLBECK,
NORMAN D. SHUMWAY,
PENNY L. PULLEN.

Mr. BROOKS. Mr. Chairman, I yield 5 minutes to the distinguished ranking Democrat on the committee, the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Chairman, I rise today in support of H.R. 2039, the Legal Services Corporation authorization. I would like to commend both the chairman of the Judiciary Committee, JACK BROOKS, and the Administrative Law Subcommittee chairman, BARNEY FRANK, for bringing this bill to the floor. Both are good friends of mine whose work I respect greatly.

Mr. Chairman, the Legal Services Corporation [LSC] has gone 12 years without reauthorization. During that time, Congress and the administration have fought annual battles over the range of services which legal aid attorneys may provide their clients. Despite the uncertainty of changing Government regulations from year to year, these dedicated, capable attorneys continue to do their best to meet the legal needs of the poor.

It is time for this uncertainty to come to an end. The legal aid attorneys in our communities must have a set of regulations which guarantee a consistent source of funding and provide the flexibility they need to carry out their mission.

H.R. 2039 meets that challenge. The bill provides the LSC with an authorization through fiscal year 1996, ensuring that the guidelines adopted in this legislation will govern legal services

programs for the next 4 years. This kind of stability is long overdue.

This authorization measure also strengthens the local control which is crucial to the success of our legal aid system. These provisions reflect a very simple idea: that the local program governing bodies know better how to meet the needs of the poor in their communities than does an agency here in Washington. With this authority, local boards can set service priorities that make sense for the people they serve.

Local control over funding is another crucial right protected in H.R. 2039. Under the bill, the local governing body can make its own decisions about how it will use non-LSC funding from both public and private sources. This keeps the LSC out of the business of telling local agencies how to spend money it did not even provide.

Finally, H.R. 2039 sets standards and procedures for the LSC to follow in monitoring and evaluating the work of legal aid attorneys. This will prevent the LSC from conducting arbitrary and intrusive reviews of local legal services programs and will free the local attorneys to do the real work of serving the needs of their clients.

Mr. Chairman, the Legal Services Corporation authorization is long overdue. We need to send a signal to those attorneys who are dedicated to serving the poor that we support and value their efforts. I urge my colleagues to support H.R. 2039.

□ 1400

Mr. GEKAS. Mr. Chairman, I yield 4 minutes to the gentleman from Minnesota [Mr. RAMSTAD], an active member of our subcommittee.

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

Mr. Chairman, as a member of the Administrative Law Subcommittee, I rise to offer my support to reauthorize funding for the Legal Services Corporation. While I agree with the distinguished subcommittee chairman that we redefine hyperbole around here sometimes in overthanking people, I would be remiss were I not to thank the distinguished subcommittee chairman, the gentleman from Massachusetts [Mr. FRANK], as well as the ranking member, the gentleman from Pennsylvania [Mr. GEKAS], and certainly the distinguished chairman of the full Committee on the Judiciary, the gentleman from Texas [Mr. BROOKS], for their cooperation in letting this freshman Member be a participant in crafting this important legislation.

Mr. Chairman, appropriations riders currently prohibit using Legal Services Corporation funds to provide representation for indigent refugees and other aliens. However, an amendment I authored that was adopted by the Judiciary Committee, will continue the cur-

rent practice of allowing private funds to be used for representation of these individuals.

This provision ensures that many people in need will be provided quality legal representation, while protecting the freedom of local United Ways, foundations, and other private funding sources to decide how funds are to be used.

These immigrant and refugee clients have presented some of the most desperate and heart-wrenching cases seen by legal services attorneys.

In Minnesota, for example, Southern Minnesota Regional Legal Services has received \$500,000 from a consortium of eight foundations and corporations to provide civil legal services to Cambodian families who have settled in our State. Approximately one-half of these cases involve representation of Cambodian families currently living in refugee camps in Thailand who seek to reunite with Cambodians living in Minnesota.

There is strong support in the State of Minnesota for legal assistance to immigrants and refugees. This is demonstrated by the broad base of financial support from foundations, corporations, churches, private agencies such as Catholic Charities and United Ways, State and local governments, as well as the Minnesota State Bar Association.

While I recognize that fiscal realities require us to prioritize the use of Federal legal services dollars, we should not turn down refugees and other aliens who desperately need representation when private groups are willing to provide funding to represent these individuals.

As now drafted, H.R. 2039 will ensure that many needy people who are ineligible for Legal Services Corporation funds will be provided quality legal representation through the generosity of local Untied Ways, foundations and other private funding sources.

Mr. Chairman, H.R. 2039 is a sound approach to provide responsible funding for legal services, while ensuring accountability on the part of local legal services programs.

I urge my colleagues to support reauthorization of Legal Services Corporation funding.

Mr. BROOKS. Mr. Chairman, I yield 4 minutes to the gentleman from Oregon [Mr. KOPETSKI], a distinguished member of the committee.

Mr. KOPETSKI. Mr. Chairman, I thank the gentleman from Texas, the distinguished chairman from the full committee for yielding time to me.

Mr. Chairman, I do rise in support of H.R. 2039. This bill addresses the basic question of whether equal justice in our society is going to be merely a caption on the facade of the Supreme Court Building, or whether it is going to be an inspiring ideal for our society.

Mr. Chairman, this bill represents an outstanding effort to address the per-

ceived abuses critics claim Legal Services attorneys engaged in, while preserving the rights of the poor and disadvantaged to effective legal representation.

That is, after all, the purpose of the legal services program as intended by Congress, to provide the full array of advocacy measures for the poor that private practice provides clients.

Since its inception under Richard Nixon in 1974, legal services programs have compiled a remarkable record in helping America's poorest citizens gain access to justice. By any standard, it is an efficient and productive program that enjoys widespread and bipartisan support; 97 percent of the funds legal service programs receive result in the delivery of legal assistance, while only 3 percent goes toward management and grant assistance. The American Bar Association and State and local bars in 38 States condemn the so-called reform efforts offered in opposition to H.R. 2039.

Despite the program's success, today legal services finds itself under attack, under the guise of reform efforts, which in fact offer nothing less than the prospect of denying equal access to our system of justice for the poor.

If you listen to critics today, you would believe that legal services programs have strayed from their original intent and, therefore, reform is necessary. Opponents of H.R. 2039 claim legal services attorneys are engaged in a nationwide program of extreme political activism and harassment of innocent defendants. Both claims are baseless. Less than .2 percent of program funds are spent on legislative representation, while less than .2 percent of cases are brought as class actions suits. Similarly, there is no statistical evidence pointing to law suits without merit filed by legal services attorneys. In fact a study by GAO revealed a complete absence of any evidence of systematic abuses. Furthermore, there has not been a single instance in which rule 11 sanctions were imposed on a legal service attorney.

However, legal services is not without its flaws, and H.R. 2039 responsibly addresses the political controversies which have surrounded the program.

First, it strengthens local control by local bar appointed governing bodies. The principle of local control is the bedrock of legal services programs. There is the necessity to ensure control by local attorneys, clients, and citizens who understand the needs and resources of the communities. Priorities should not be set by bureaucrats in Washington.

Mr. Chairman, H.R. 2039 continues to prohibit grassroots lobbying and political activities. It restricts direct legislative advocacy and administrative rule making. However, the bill retains the basic right of individuals to challenge actions taken by public officials.

There is no support in the legislative history to indicate legal services should be restricted to one-on-one representation, avoiding controversial issues. The reality of the situation is that legal services are concerned with broader social issues, which conflict with government at all levels and, thus, is subject to unusually strong political pressures.

In this context, H.R. 2039 recognizes that the poor are the segment of society most heavily and directly subject to bureaucracy. A significant percentage of the legal problems faced by poor people arise out of dealings with all levels of administrative agencies. To prohibit representation before these agencies would be no different than limiting representation in court. Therefore, while restricting legislative and administrative advocacy, the bill permits direct representation of clients before administrative agencies in rule making as well as particular individual claims and before legislative bodies if the project director determines the client is in need of legislative relief or the representation is necessary to protect the clients existing rights or interests.

The bill adds new prohibitions on congressional and State legislative re-districting activity. Answering the charges of critics who claim legal services attorneys should not engage in political activities with Federal funds. The bill permits legal services involvement in cases of purely local importance for the poor community that seeks re-districting as a remedy for problems affecting that community. Contrary to charges, this activity is not politically motivated. Rather, it focuses on challenges to efforts by local governments to dilute voting strength. In doing so, legal services programs preserve clients' fundamental civil rights under the Constitution and Voting Rights Act.

First, the bill permits defendants in actions brought by legal services attorneys to recover costs and attorneys fees where the court finds the plaintiff's case was "frivolous, unreasonable or without foundation"; that the case was brought for the purpose of "harassment or retaliation"; or that the plaintiff "maliciously abused the legal process."

In response to charges that legal services attorneys are quick to sue the bill requires legal services programs to attempt to settle disputes prior to filing suit and to use alternative dispute resolution programs.

The bill addresses grower concerns of improper solicitations outside the context of outreach activities.

Finally, and most significantly, the bill requires client written retainer agreements that must include a recitation of the facts on which the claim is initially based.

H.R. 2039 draws an appropriate balance between critics and supporters of

legal services. Taken together, the reform provisions included in the bill make it less likely that meritless cases are brought and ensure that growers will have the ability to defend actions.

Critics question the sufficiency of these measures. In their reform provisions, they would place stringent prohibitions and burdensome regulations on legal services attorneys. In doing this they ignore a basic tenet of the program: The goal is to improve access to justice rather than restrict it. Reformers would treat legal services attorneys differently than any other attorney, often placing legal services attorneys in untenable ethical positions. If you believe that it is fundamental that justice should be the same, in substance and availability without regard to economic status, you will reject these purported reform efforts.

Mr. Chairman, the Pledge of Allegiance states "with liberty and justice for all." Unfortunately, notwithstanding the existence of more than 750,000 attorneys in this country approximately 80 percent of the legal needs of poor people go unmet. While poor people's need for services has grown dramatically in the last decade, the resources available to address these needs have continued to decline. Funding for legal services is about 40 percent less than in 1981 adjusted for inflation.

Federally funded legal programs throughout this country are the best hope this country has of fulfilling its promise of equal access to justice for all its citizens. Today, we can act to ensure that equal justice under the law is not just an inspiring phrase etched on the Courthouse wall, but a real and attainable promise for all Americans.

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

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

□ 1410

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MURTHA) having assumed the chair, Mr. CONDIT, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2039) to authorize appropriations for the Legal Services Corporation, and for other purposes, had come to no resolution thereon.

LEGISLATIVE PROGRAM

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

Mr. GINGRICH. Mr. Speaker, I take this time for the purpose of receiving the schedule for next week from the

distinguished majority leader, and I am glad to yield to him for that purposes.

Mr. GEPHARDT. I thank the gentleman for yielding.

Obviously we are finished voting today.

On tomorrow there will not be votes.

On Tuesday, April 7, the House will meet at noon to consider six suspensions. Recorded votes will be postponed until debate on all suspensions is completed. The bills will be:

H.R. 4184, to designate the Edward P. Boland Department of Veterans Affairs Medical Center;

H.R. 4712, to amend the Child Abuse Prevention Treatment Act;

H.R. 4276, Historic Sites Selection Reform Act of 1992;

H.R. 3665, Little River Canyon National Preserve Act; Delaware River; and

S. 749, Mound City Group National Monument.

On Wednesday, April 8 and the balance of the week we will meet at 2 on Wednesday, although I am told, depending on business, we may need to come in earlier on Wednesday, depending on the number of matters that need to be dealt with.

The House will meet at 11 on Thursday and if action is needed on Friday. We will be taking up H.R. 2039, the Legal Services Reauthorization Act, completing consideration; H.R. 3750, the campaign spending limit and election reform conference report, 1 hour of debate; and a House resolution is likely in a House administrative reform proposal, subject to a rule.

Other conference reports may be brought up at any time, and there may be other legislation on the RTC that may be necessary next week as well.

Mr. GINGRICH. Let me ask a couple of things if I might. As Members plan for next week, how likely does the gentleman think it is that there will be votes on Friday?

Mr. GEPHARDT. My opinion is that it is not that likely. But I cannot give a guarantee now that we will not absolutely need to be here on Friday. We will make every effort to finish on Thursday evening.

Mr. GINGRICH. Let me say on our side we are working on another approach on the Resolution Trust Corporation funding, and hopefully on a bipartisan basis we might be able to actually pass that before the break for Easter. I know it is an important issue.

There are two other bills I want to ask about. One, since we failed last week to override the President's veto on the economic growth bill, is there any planning or preparation on your side, are we likely to see either next week or upon coming back at the end of the Easter recess a bill that would try to cut taxes and create incentives for the economy? Do you folks in the majority have any plan for bringing something like that to the floor?

Mr. GEPHARDT. We are having communications about it, and I am sure there will be communications with Members on the other side. There is nothing definite at this point. There will be nothing next week on that, but perhaps after that something could be brought up.

Mr. GINGRICH. Let me mention one other thing. As you know, educational reform and the need to make sure that all Americans have an adequate opportunity to learn enough so that we can compete in the world market and have good jobs is an issue that I know you care a lot about and have spoken on. H.R. 3320 was reported out on November 7 and placed on the Union Calendar. We would simply urge the Democratic leadership to consider possibly next week bringing it to the floor. We would be willing to cooperate in an open rule, if necessary, or in a rule crafted to allow the chairman and others to offer some amendments. But we would hope, in the light of all of the efforts that the President is making, and Secretary Alexander is making that we might approach the possibility of bringing up the Education Reform Act, H.R. 3320, and actually trying to produce it as a bipartisan effort to truly reform and create the beginnings of reform in education. I do not know if there is any possibility on your side that that bill, which was reported last November, might be brought to the floor.

Mr. GEPHARDT. We will check on that possibility. We share the gentleman's interest in being able to move forward in this important area. I cannot assure the gentleman one way or the other as to whether it will be next week, given the schedule we have. But we will look at it and try to give due attention to it, and try to bring it here as quickly as possible.

Mr. GINGRICH. I thank the majority leader.

ADJOURNMENT FROM FRIDAY, APRIL 3, 1992 TO TUESDAY, APRIL 7, 1992

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, Friday, April 3, 1992, it adjourn to meet at noon on Tuesday, April 7, 1992.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

WHITE HOUSE SPIN CONTROL ON PRE-WAR IRAQ POLICY

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

Mr. SKAGGS. Madam Speaker, there is a story the White House does not want told. It is a story about the administration's embarrassingly pro-Iraq policy—a policy it was lobbying hard for in these halls up until the week before Iraq's invasion of Kuwait. And it is a story that reveals a cynical disregard for the awful dimensions of Saddam Hussein's rule during a period in which the President chose to play political roulette in the Persian Gulf. It is a story, too, about reaping what you sow—when you plant duplicitous seeds in the shifting sands of Middle East politics.

George Bush led this country to war against Iraq—but he did not give Americans the whole story. He did not reveal the truth, the truth about the administration's prewar support of Iraq. And when Congress demanded answers, the White House conspired to withhold the facts. This National Security Council memorandum reveals an elaborate spin-control scheme—a scheme to make Dr. Jekyll look like Mr. Hyde.

This document, Madam Speaker, I am sorry to say, is evidence of a deliberate and concerted effort to thwart congressional efforts to gain information on the Bush administration's prewar support of Iraq. This NSC memorandum is yet another example of the President's people conspiring to keep both Congress and the American people in the dark.

George Bush has said he would do anything to get elected, and this document helps confirm it. The White House says Congress is not doing its job? We are trying, Mr. President, but first you need to stop blocking the road.

The NSC memorandum follows:

NATIONAL SECURITY COUNCIL,
Washington, DC, April 8, 1991.

Memorandum for Jeanne S. Archibald, C. Boyden Gray, Fred Green, Michael Luttig, Terrence O'Donnell, Alan Raul, Elizabeth Rindskopf, Edwin Williamson, and Wendell Wilkie.

Subject: Meeting on congressional requests for information and documents.

First of all, I apologize to Treasury and Agriculture for not inviting them to the meeting today on responding to congressional requests for information and documents pertaining to U.S.-Iraq policy prior to August 2, 1990. At the meeting, it became apparent that these departments should have been present. I shall schedule a meeting for tomorrow on requests pertaining to the BNL/CCC matters to which Agriculture and Treasury will be invited.

After reviewing the requests thus far received for information, today's meeting concluded that:

Department General Counsels should review and inventory all requests to determine which, if any, raise issues of executive privilege (deliberative process, foreign relations, national security, etc.);

Alternatives to providing documents should be explored (e.g., briefings);

When access to documents may be recommended, such recommendation should be circulated to this group for clearance;

A recommendation to provide access should be restricted to members only subject to these conditions: no document may be retained; notes may be taken but should be marked for classification by the department or agency in question. (FYI: our legislative affairs office recommends against insisting that members come to departments to read documents.); and

In any event, departments and agencies should seek guidance from this group in cases of doubt.

I hope you agree that this summary fairly represents where we came out.

NICHOLAS ROSTOW,
Special Assistant to the
President and Legal Adviser.

□ 1220

MEDICARE DURABLE MEDICAL EQUIPMENT PATIENT PROTECTION ACT OF 1991

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. PANETTA] is recognized for 5 minutes.

Mr. PANETTA. Mr. Speaker, today, I am introducing the Medicare Durable Medical Equipment Patient Protection Act of 1992. This bill is designed to assure that elderly and disabled Medicare recipients get the medical equipment and supplies that they may need while protecting them from the few unscrupulous providers of these services who would sell them unnecessary items or who would attempt to overcharge the beneficiaries and the Federal Government.

I am extremely alarmed by the growth in the cost of the Medicare Program. Abuse and fraud in the sale of medical equipment and supplies contribute to this problem. Medicare spending tripled between 1980 and 1990 and will triple again by the turn of the century. To a large extent, the Medicare growth reflects our inability as a nation to control health spending. Health programs are consuming an ever greater proportion of the Federal budget and at their current rates of growth, it will not be possible to permanently reduce the Federal deficit unless the major health programs, Medicare and Medicaid, can be controlled.

Given the amounts that the elderly and disabled, as well as the Federal Government, pay for medical services which truly are needed, it is unconscionable that there are some who would prey on this vulnerable population by selling them unnecessary items. While such is not the case with most Medicare suppliers of durable medical equipment, there are some who have involved themselves in an array of abusive and sometimes fraudulent activities to cheat the Government and the elderly. The legislation which I am introducing today is designed to bring an end to illegitimate practices, including:

Duping Medicare beneficiaries into accepting medical equipment that they do not need;

Falsifying medical test results to establish an inappropriate need for equipment;

Establishing shell offices in order to bill Medicare at the highest possible reimbursement levels;

Unbundling medical bills into their component parts so that a higher total amount may be charged to Medicare; and

Paying kickbacks.

The Budget Committee highlighted these problems in a report which we released last fall, "Management Reform: A Top Priority for the Executive Branch." This report identifies serious deficiencies in the way that the administration is managing a number of Federal programs. Quite often, we discuss the need for additional funding in high priority public activities. However, it is essential that the moneys which are available be spent as efficiently as possible. Our report challenges the administration to improve the day-to-day management of Federal programs. As a follow-up to that report, I recently wrote to the General Accounting Office asking for a review of the management of Medicare by the contractors who process program claims and oversee operations and submit a report to Congress on proven efficiencies which should be instituted on a nationwide basis.

Several bills designed to address problems in the sale of durable medical equipment to Medicare beneficiaries already have been introduced in the House. I want to add my voice to the concerns that these bills already have raised.

I also want to commend the chairman of the Senate Budget Committee for a series of hearings that he held last summer to highlight some of the problems in the purchase of durable medical equipment. The problems were brought to his attention through a case that has been euphemistically called carrier shopping. What this really means in terms that we can all understand is ripping off the Government. A company in Pennsylvania went to Tennessee and purchased the invoices for equipment that the Tennessee company already had sold to Medicare beneficiaries. These invoices were then filed in Pennsylvania where the Medicare carrier pays a higher amount for medical equipment and supplies. For example, ostomy pouches—which are needed by patients who have had a portion of their intestines or urinary tract surgically altered—were reimbursed at \$17 per box in Tennessee and \$40.70 in Pennsylvania. When combined with other legal and illegal practices such as unbundling and price markups, Medicare sometimes reimbursed at levels which were many times the original cost or retail price of the product. The inspector general of the Department of Health and Human Services reported, for example, that the Medicare carrier in Pennsylvania paid almost \$250 for a wheelchair cushion that cost a supplier \$8 and \$435 for a bed pad that cost \$40.

The legislation which I am introducing builds on that which already is being debated in the Congress. It will help save millions of dollars in the Medicare Program. Of equal importance, the legislation is intended to bring a halt to abusive and fraudulent practices by establishing national uniform standards and fees for companies that sell medical equipment and supplies to Medicare patients; limit the number

of carriers who may pay Medicare bills for medical equipment and supplies so that an expertise can be developed in the review and processing of payments for these services; eliminate the practice of carrier shopping by requiring that all bills be paid by the Medicare carrier serving the area where the Medicare beneficiary resides; and establish application procedures and standards for companies that sell medical equipment and supplies to Medicare beneficiaries.

While the problems in the sale of durable medical equipment have been well documented, many leaders in the industry have come forward to call for reform and to make suggestions on how this might be accomplished. I want to commend such leadership.

We should never tolerate fraud and waste in the use of public money. But such abuse is that much more intolerable when we consider the fact that the moneys that have been inappropriately used for durable medical equipment could be used to help extend health insurance coverage for over 34 million of our citizens who currently are uninsured.

The following is the text of the bill:

H.R. 4759

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 "Medicare Durable Medical Equipment Patient Protection Act of 1992".

SEC. 2. RESTRICTIONS ON CARRIERS.

(a) LIMIT ON NUMBER OF REGIONAL CARRIERS; PROHIBITION AGAINST CARRIER FORUM SHOPPING.—Section 1834(a)(12) of the Social Security Act (42 U.S.C. 1395m(a)(12)) is amended to read as follows:

"(12) USE OF CARRIERS TO PROCESS CLAIMS.—

"(A) DESIGNATION OF REGIONAL CARRIERS.—The Secretary may designate, by regulation under section 1842, one carrier for one or more entire regions (but not more than 5 for all regions) to process all claims within the region for covered items under this section.

"(B) PROHIBITION AGAINST CARRIER FORUM SHOPPING.—(1) No supplier of a covered item may present or cause to be presented a claim for payment under this part unless such claim is presented to the appropriate carrier.

"(ii) For purposes of clause (1), the term 'appropriate carrier' means the carrier having jurisdiction over the geographic area of the residence of the patient to whom the item is furnished, except that—

"(I) in the case of a patient who resides not more than 60 miles from a geographic area over which a second carrier has jurisdiction, such term may include the second carrier;

"(II) in the case of a patient who, at the time the item that is the subject of the claim is furnished, is temporarily residing in a geographic area other than the area of the patient's residence, such term may include the carrier having jurisdiction over the geographic area in which the patient temporarily resides; and

"(III) such term may include any other carrier considered by the Secretary to be the most appropriate carrier with respect to the claim (based on the need to efficiently administer the processing of the claim)."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to contracts with carriers for items furnished on or after January 1, 1993.

SEC. 3. TREATMENT OF CERTAIN ITEMS AS COVERED ITEMS; USING REASONABLE COST AS BASIS FOR DETERMINING PAYMENT AMOUNTS.

(a) TREATMENT OF CERTAIN ITEMS AS COVERED ITEMS.—

(1) IN GENERAL.—Section 1861(n) of the Social Security Act (42 U.S.C. 1395x(n)) is amended by striking "iron lungs" and inserting "ostomy supplies, tracheostomy supplies, urologicals, surgical dressings and splints, casts, and other devices used for reduction of fractures and dislocations, iron lungs".

(2) TREATMENT AS INEXPENSIVE AND ROUTINELY PURCHASED ITEMS.—Section 1834(a)(2)(A) of such Act (42 U.S.C. 1395m(a)(2)(A)) is amended

(A) by striking "or" at the end of clause (i);

(B) by striking the comma at the end of clause (ii) and inserting ", or"; and

(C) by inserting after clause (ii) the following new clause:

"(iii) which consists of an ostomy supply, tracheostomy supply, urological, or surgical dressing or splint, cast, or other device used for reduction of fractures and dislocations,".

(3) CONFORMING AMENDMENTS.—(A) Section 1834(h)(4)(C) of such Act (42 U.S.C. 1395m(h)(4)(C)) is amended by striking "catheter supplies" and all that follows through "ostomy care" and inserting "and catheter supplies".

(B) Section 1861(s) of such Act (42 U.S.C. 1395x(s)) is amended—

(i) by striking paragraph (5); and

(ii) in paragraph (9), by striking the semicolon at the end and inserting the following: ", but not including ostomy supplies, tracheostomy supplies, or urologicals;".

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to items furnished on or after January 1, 1993.

(b) STUDY OF FEASIBILITY OF BASING PAYMENT AMOUNTS ON REASONABLE COSTS.—

(1) STUDY.—The Secretary of Health and Human Services, in consultation with carriers under part B of the Medicare program and representatives of suppliers of durable medical equipment under the program, shall conduct a study of the feasibility and desirability of basing payment amounts for covered items of durable medical equipment, prosthetic devices, and orthotics and prosthetics under such program on the reasonable costs of such items.

(2) REPORT.—Not later than January 1, 1994, the Secretary shall submit a report on the study conducted under paragraph (1) to Congress, and shall include in the report any recommendations considered appropriate by the Secretary for changes in the manner in which payment amounts are determined under the Medicare program for the items that are the subject of the study.

(c) GUIDELINES FOR DETERMINING MEDICAL EFFECTIVENESS AND PERMITTING PAYMENT FOR UPGRADED ITEMS.—Not later than January 1, 1994, the Secretary of Health and Human Services shall establish and publish updated guidelines for carriers under part B of the Medicare program that describe the conditions under which—

(1) covered items of durable medical equipment, prosthetic devices, and orthotics and prosthetics shall be considered medically effective when furnished to an elderly patient and when furnished to a disabled patient; and

(2) a supplier of such items may furnish a patient with an item in excess of or more expensive than the standard version of the item for which payment may be made under the program.

SEC. 4. CERTIFICATION AND DISCLOSURE REQUIREMENTS FOR SUPPLIERS OF DURABLE MEDICAL EQUIPMENT.

(a) MANDATORY SUPPLIER CERTIFICATION.—

(1) **IN GENERAL.**—Section 1834(a) of the Social Security Act (42 U.S.C. 1395m(a)) is amended by adding at the end the following new paragraph:

“(17) CERTIFICATION OF SUPPLIERS.—

“(A) IN GENERAL.—Notwithstanding any other provision of this Act, no payment may be made under this part for any covered item furnished during a year (beginning with 1993) by any supplier unless the Secretary certifies (or has certified during the 4 years preceding the year) that the supplier meets the certification standards established under subparagraph (B).

“(B) ESTABLISHMENT OF STANDARDS.—The Secretary shall establish and publish certification standards for suppliers on the basis of such criteria as the Secretary considers appropriate, and shall include in the standards a requirement that the supplier furnish the Secretary with the following information:

“(i) Whether the items furnished by the supplier are purchased, warehoused, and shipped directly by the supplier or under arrangements with other suppliers.

“(ii) The identity of subcontracting or subsidiary entities or entities with which the provider is doing business which are advertising or marketing firms directly or indirectly involved in furnishing covered items to individuals entitled to benefits under this title.

“(iii) A description of all items and services furnished by the supplier to individuals eligible for benefits under this title and to providers of services or other entities furnishing items and services for which payment may be made under this title.

“(iv) A list of all States and counties in which individuals reside to whom the supplier furnishes items or services for which payment is made under this title or under a State plan for medical assistance under title XIX.

“(v) Any additional information the Secretary considers appropriate.

“(C) FEES AUTHORIZED FOR CERTIFICATION.—The Secretary of Health and Human Services may require a supplier to make a payment of an administrative fee (not to exceed \$100) with respect to a certification or renewal of a certification under this paragraph. Any fees collected by the Secretary pursuant to this subparagraph shall be deposited in the Federal Supplementary Medical Insurance Trust Fund and shall be available only for the administration of this part.

“(D) WAIVER OF REQUIREMENTS FOR CERTAIN SUPPLIERS.—The Secretary may waive or modify any of the certification standards established under subparagraph (B) or the payment of a fee required under subparagraph (C) with respect to a supplier if the Secretary determines that the majority of the items furnished by the supplier are inexpensive or routinely purchased items under paragraph (2) or that less than 25 percent of the supplier's annual gross revenues is attributable to the furnishing of covered items under this title.”

“(2) CONFORMING AMENDMENT.—Section 1834(h)(3) of such Act (42 U.S.C. 1395m(h)(3)) is amended by striking “Paragraph (12)” and inserting “Paragraphs (12) and (17)”.

“(b) PROHIBITION AGAINST ISSUANCE OF MULTIPLE PROVIDER NUMBERS.—Section 1834(a)(12) of such Act (42 U.S.C. 1395m(a)(12)), as amended by section 2(a), is further amended by adding at the end the following new subparagraph:

“(C) PROHIBITION AGAINST ISSUANCE OF MULTIPLE PROVIDER NUMBERS.—A carrier may not

issue more than one provider number to a supplier of a covered item unless the issuance of multiple provider numbers is appropriate because of significant differences among the items the supplier furnishes or the geographic regions the provider serves. Nothing in the previous sentence shall be construed to prohibit a carrier from issuing a new provider number to a supplier to replace an inactive or obsolete provider number.”

(c) LIMITATION ON EMPLOYMENT RELATIONSHIPS CONSIDERED BONA FIDE FOR EXEMPTION FROM ANTI-KICKBACK REQUIREMENTS.—Section 1128B(b)(3)(B) of such Act (42 U.S.C. 1320a-7b(b)(3)(B)) is amended by striking the semicolon at the end and inserting the following: “, except that any employment relationship between an employee of a nursing facility and a supplier of covered items under section 1834(a) or items described in section 1834(h) shall not be considered a bona fide employment relationship for purposes of this subparagraph.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to items or services furnished on or after January 1, 1993.

SEC. 5. PRIOR APPROVAL AUTHORIZED FOR ITEMS FURNISHED BY SUPPLIERS ENGAGED IN FRAUD OR OTHER ABUSIVE PRACTICES.

(A) IN GENERAL.—Section 1834(a) of the Social Security Act (42 U.S.C. 1395m(a)), as amended by section 4(a), is further amended by adding at the end the following new paragraph:

“(18) CARRIER DETERMINATIONS OF ITEMS FURNISHED BY CERTAIN SUPPLIERS IN ADVANCE.—

“(A) DEVELOPMENT OF LIST OF SUPPLIERS BY SECRETARY.—The Secretary shall develop and periodically update a list of suppliers that the Secretary determines (on the basis of criteria developed and published by the Secretary in consultation with representatives of suppliers, which may include prior payment experience)—

“(i) have engaged in activities which make the suppliers subject to a civil monetary penalty under section 1128A or to a criminal penalty under section 1128B;

“(ii) have furnished a substantial number of items for which payment was not made because of the application of section 1862(a)(1); or

“(iii) have engaged in a pattern of overutilization of items.

“(B) DETERMINATIONS OF COVERAGE IN ADVANCE.—A carrier shall determine in advance whether payment for an item furnished by a supplier included on the list developed by the Secretary under subparagraph (A) may not be made because of the application of section 1862(a)(1).”

(b) CONFORMING AMENDMENT.—Section 1834(h)(3) of such Act (42 U.S.C. 1395m(h)(3)), as amended by section 4(a)(2), is amended by striking “(12) and (17)” and inserting “(12), (15), (17), and (18)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after January 1, 1993.

SEC. 6. STUDY OF IMPACT OF REFORMS ON ACCESS TO AND COSTS OF DURABLE MEDICAL EQUIPMENT FOR MEDICARE BENEFICIARIES.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a study of the impact of the amendments made by this Act on the access of individuals enrolled under part B of the medicare program to items of durable medical equipment under the program and the

costs imposed on such individuals under the program for such items, and shall include in the study an analysis of the impact of the amendments on individuals enrolled under part B of the program who reside in rural areas.

(2) DURABLE MEDICAL EQUIPMENT DEFINED.—For purposes of paragraph (1), the term “durable medical equipment” means covered items under section 1834(a) of the Social Security Act and items described in section 1834(h) of such Act.

(b) REPORT.—Not later than January 1, 1994, the Comptroller General shall submit a report to Congress on the study conducted under subsection (a), and shall include in the report any recommendations considered appropriate for legislative or regulatory changes to improve the access of medicare beneficiaries to items of durable medical equipment and to control the costs imposed on beneficiaries for such items under the medicare program, including recommendations to impose maximum allowable limits on the amounts suppliers of such items may charge beneficiaries in the same manner as the limits imposed under the program on the amounts physicians may charge beneficiaries for physicians' services.

SEC. 7. STUDY OF ITEMS FURNISHED TO RESIDENTS OF NURSING FACILITIES.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a study of the types, volume, and utilization of items of durable medical equipment furnished under part B of the medicare program to individuals residing in skilled nursing facilities and intermediate care facilities, and shall include in the study an analysis of the need to apply additional controls on the utilization of such items by such individuals.

(2) DURABLE MEDICAL EQUIPMENT DEFINED.—For purposes of paragraph (1), the term “durable medical equipment” means covered items under section 1834(a) of the Social Security Act and items described in section 1834(h) of such Act.

(b) REPORT.—Not later than January 1, 1994, the Comptroller General shall submit a report to Congress on the study conducted under subsection (a).

GALLEGLY BILL TO USE VETERANS IN THE BORDER PATROL

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, today I am introducing, on behalf of myself and Mr. HYDE, Mr. LOWERY of California, Mr. BELENSON, Mr. HEFLEY, Mr. ROHRBACHER, Mr. ECKART, Mr. CUNNINGHAM, Mr. HUNTER, Mr. DE LA GARZA, Mr. GOSS, Mr. STUMP, Mr. COX, Mr. LAGOMARSINO, Mr. HERGER, and Mr. SMITH of Texas, a bill which would provide for 2,000 additional Border Patrol agents from military personnel who are displaced due to defense cutbacks.

The purpose of this legislation is twofold: To increase the strength of our Border Patrol, and to give a needed boost to those military personnel who find themselves facing forced separation as a consequence of demobilization and a downsizing of our uniformed forces to the needs of a peacetime military.

The United States is being inundated by a flood of illegal immigrants, estimated at between 300,000 and 500,000 aliens annually,

who are entering the United States illegally to find scarce jobs and seek a better life. As a consequence, our State and local governments are unable to satisfy the demands for assistance from newly arrived illegals without denying benefits and services of poor and needy American citizens and legal residents and their families.

Every nation has a right to control its own borders and to set the standards for legal immigration. I am proud of the fact that America is a melting pot of legal immigrants from all over the globe who continue to contribute to our economic and social greatness, and that our Nation has the most liberal immigration policy in the world, providing legal entry on an annual basis to more immigrants than all the other countries of the world combined. But we simply can no longer afford to let thousands of additional illegals into this country. The result is not only poverty and disillusionment for those who thought America offered boundless, easy riches. It also spells hostility among those Americans who lose scarce jobs, free medical care, hospital beds, low-cost housing, and welfare benefits to illegal aliens. It is leading to a tragic situation of general, widespread backlash against all immigrants, legal as well as illegal.

It is clear that the Immigration and Naturalization Service needs additional qualified personnel to handle the flood of immigrants that defy the 24-hour border vigil. We have only to read about illegals running down the center of the highway at border checkpoints, dodging angry motorists and being chased by INS agents, to visualize the problem. The Border Patrol, roughly 3,800 strong, is badly undermanned and unable to do the job. If we are to control our borders, we must enlarge and improve the Border Patrol immediately.

In legislation I introduced last fall to deal with the problems of illegal immigration, I called for increasing Border Patrol full-time personnel to 6,600 by fiscal year 1993 and improving their in-service training—H.R. 3439. Attorney General Barr recently announced that he would beef up the Border Patrol, adding 300 new positions in fiscal year 1992 and another 200 in fiscal year 1993, the costs to be defrayed out of the Justice Department's asset forfeiture fund. I am pleased that the Attorney General is responding to the crisis, as well as to my proposal, but 500 more people are not enough. That is why I am introducing this legislation today, calling on the Attorney General to add 2,000 new patrol agents to the Border Patrol.

The personnel that the INS needs for the job of patrolling our borders must be well-trained and experienced in quasi-military tactics. They must be able to understand and handle illegal aliens. In my opinion, short of stationing active-duty military forces on the border—which I oppose as sending the wrong signal to our neighbors to the north and south—I believe that veterans with recent military experience, discipline, and training are well qualified for the border surveillance task.

Moreover, at a time when military personnel are being discharged early in order to meet reduced defense requirements under demobilization, I believe it appropriate to take advantage of this opportunity to recruit and utilize readily available, trained military personnel. In-

stead of having honorably discharged veterans come home to unemployment and disappointment, I offer 2,000 of them an opportunity to continue to serve their country in the Border Patrol and to defend it against an invasion of illegal aliens. The manpower costs may be available in various existing Justice Department funds, or the Congress may appropriate additional funding for the Border Patrol. The savings from the total Government benefits and services not being provided to illegals will more than pay for the Border Patrol recruitments.

Mr. Speaker, 3 years ago I offered similar legislation providing for 1,000 additional Border Patrol agents from military personnel displaced by defense realignment. Since then, the illegal immigration crisis has worsened, to the point that the anticipated number of illegal aliens apprehended this year will exceed the record number of 1.76 million recorded prior to the immigration reforms of 1986. Moreover, the world situation has also radically changed as a consequence of the fall of communism, the lessened chances of military conflict, and the reduced force needs of a modern peacetime defense establishment.

Time is running out, both for our communities and neighborhoods being overrun by illegals and threatened from the crime and violence caused by unemployment and racial unrest, and for our veterans who are facing forced dismissal from the armed services. I urge the Congress to act quickly on this legislation.

H.R. 4754

Be it enacted by the Senate and House of Representatives of the United States of America in congress assembled,

SECTION 1. ADDITIONAL BORDER PATROL AGENTS FROM DISPLACED MILITARY PERSONNEL.

(a) IN GENERAL.—The Attorney General of the United States shall provide for an increase of 2,000 in the number of border patrol agent positions in the Immigration and Naturalization Service above the number of such positions as of September 30, 1991.

(b) INDIVIDUALS ELIGIBLE.—Only individuals who—

(1) as of October 1, 1991, were active-duty personnel of the United States Armed Forces,

(2) were discharged involuntarily under honorable conditions from the United States Armed Forces after October 1, 1991, and

(3) possess applicable skills and experience to serve as border patrol agents,

may be employed as border patrol agents in a position provided pursuant to subsection (a).

(c) RECRUITMENT.—If funds are available in the Department of Justice or are otherwise available to the Attorney General to carry out this section and in consultation with the Secretary of Defense, the Attorney General shall recruit qualified individuals described in subsection (b) for positions as border patrol agents.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MORAN (at the request of Mr. GEPHARDT) for today on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GEKAS) to revise and extend their remarks and include extraneous material:)

Mr. SHAW, for 5 minutes, today.

Mr. ARMEY, for 5 minutes, today.

Mr. DREIER of California, for 60 minutes, today.

Mr. GALLEGLY, for 5 minutes, today.

(The following Members (at the request of Mr. TANNER) to revise and extend their remarks and include extraneous material:)

Mr. PANETTA, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GLICKMAN, for 5 minutes, today.

Mr. GONZALEZ, for 60 minutes each day, on April 3, 6, 9, 10, 27, 30, and May 1, 4, 8, 11, 15, 18, 21, 26, and 29.

Mr. BONIOR, for 60 minutes each day, on May 5, 6, 12, 13, 19, 20, 26, and 27.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GEKAS) and to include extraneous matter:)

Ms. SNOWE.

Mr. OXLEY.

Mr. BALLENGER.

Mr. WALKER.

Mr. GUNDERSON.

Mr. SHAW.

Mr. BROOMFIELD.

Ms. ROS-LEHTINEN in two instances.

Mr. GILMAN.

(The following Members (at the request of Mr. TANNER) and to include extraneous matter:)

Mr. ERDREICH.

Mr. BONIOR.

Mr. FALEOMAVAEGA.

Mr. KANJORSKI.

Mr. CONDIT.

Mr. FASELL.

Mr. LEVINE of California.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

21S. 800. An act for the relief of Carmen Victoria Parini, Felix Juan Parini, and Sergio Manuel Parini; to the Committee on the Judiciary.

ADJOURNMENT

Mr. MURTHA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, April 3, 1992, at 11 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3221. A letter from the Chairman, National Credit Union Administration, transmitting its 1991 annual report on operations and financial information, pursuant to 12 U.S.C. 1752a(d); to the Committee on Banking, Finance and Urban Affairs.

3222. A letter from the Assistant Secretary for Tourism Marketing, Department of Commerce, transmitting a marketing plan to stimulate and encourage travel to the United States for fiscal year 1993, pursuant to 22 U.S.C. 2123(a)(15); to the Committee on Energy and Commerce.

3223. A letter from the Administrator, Energy Information Administration, transmitting the Agencies 1991 Annual Report, pursuant to 15 U.S.C. 790f(a)2; to the Committee on Energy and Commerce.

3224. A letter from the Secretary of Transportation, transmitting the Department's annual report on progress in conducting environmental remedial action with hazardous waste at federally owned or operated facilities, pursuant to Public Law 99-499, section 120(e)(5) (100 Stat. 1669); to the Committee on Energy and Commerce.

3225. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Roman Popadiuk, of New York, to be Ambassador to Ukraine; of Sigmund A. Rogich, of Nevada, to be Ambassador to the Republic of Iceland, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3226. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1997 resulting from passage of S. 2324, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3227. A letter from the Administrator, General Services Administration, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3228. A letter from the Chairman, National Labor Relations Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1991, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

3229. A letter from the Chairman, National Labor Relations Board, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3230. A letter from the Assistant Vice President for Government and Public Affairs, National Railroad Passenger Corporation, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3231. A letter from the Secretary of Energy, transmitting the 1991 annual report of the Bonneville Power Administration, pursuant to Public Law 89-448, section 3(a) (80 Stat. 201); Public Law 95-91, section 302 (91 Stat. 578); to the Committee on Interior and Insular Affairs.

3232. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3233. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3234. A letter from the Acting Assistant Secretary, Department of the Interior, transmitting a draft of proposed legislation to provide for increases in authorization ceilings for land acquisition and development in certain units of the National Park System, for operation of the Volunteers in the Parks Program, and for other purposes; to the Committee on Interior and Insular Affairs.

3235. A letter from the Secretary of Energy, transmitting the 15th annual report on activities under the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976, pursuant to 15 U.S.C. 2513; to the Committee on Science, Space, and Technology.

3236. A letter from the Secretary of Veterans Affairs, transmitting the annual report of the activities of the Veterans Administration for the fiscal year ended September 30, 1991, pursuant to 38 U.S.C. 214, 221(c), 664; to the Committee on Veterans' Affairs.

3237. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to increase, effective as of December 1, 1992, the rates of and limitations on disability compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of certain disabled veterans; and to lengthen the period of wartime service required to qualify for improved pension; to the Committee on Veterans' Affairs.

3238. A letter from the Deputy Director, United States Information Agency, transmitting notification of the extension for 3 years of an emergency United States import ban on pre-Hispanic archaeological material originating in the Cara Sucia Archaeological Region of El Salvador, pursuant to 19 U.S.C. 2602(g)(1); to the Committee on Ways and Means.

3239. A letter from the Secretary of the Treasury, transmitting a report on the taxation of Social Security and Railroad Retirement Benefits in calendar year 1989, pursuant to 42 U.S.C. 401 note; to the Committee on Ways and Means.

3240. A letter from the Secretary of Education, transmitting Final Regulations—National Science Scholars Program, pursuant to 20 U.S.C. 1232(d)(1); jointly, to the Committee on Education and Labor and Science, Space, and Technology.

3241. A letter from the Secretary of Health and Human Services, transmitting the annual report with respect to actions taken to recruit and train Indians to qualify them for positions subject to Indian preference; the annual report on actions taken to place non-Indians employed by the Indian Health Service in other Federal agencies, pursuant to 25 U.S.C. 472a(d); jointly, to the Committee on Interior and Insular Affairs and Post Office and Civil Service.

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. CONYERS: Committee on Government Operations. A report on designing genetic information policy: The need for an independent policy review of the ethical, legal, and social implications of the human genome project (Rept. 102-478). Referred to the Committee of the Whole House on the State of the Union.

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. ALLARD:

H.R. 4745. A bill to extend the existing suspension of duty on carfentanil citrate until January 1, 1996; to the Committee on Ways and Means.

By Mr. AUCOIN (for himself and Mr. MCCURDY):

H.R. 4746. A bill to amend title 10, United States Code, to rename the Defense Advanced Research Projects Agency as the National Advanced Research Projects Agency, to expand the mission of that agency, and for other purposes; to the Committee on Armed Services.

By Mr. AUCOIN:

H.R. 4747. A bill to amend the National Security Act of 1947 to revise the functions of the National Security Council and to add the Secretary of Commerce, the Secretary of the Treasury, and the U.S. Trade Representative to the statutory membership of the National Security Council; jointly, to the Committees on Armed Services and Intelligence (Permanent Select).

By Mrs. BOXER:

H.R. 4748. A bill to improve national competitiveness through education; jointly, to the Committees on Education and Labor and Ways and Means.

By Mr. CONDIT (for himself and Mr. PENNY):

H.R. 4749. A bill to rescind certain budget authority proposed to be rescinded in a special message transmitted to the Congress by the President on March 10, 1992, in accordance with section 1012 of the Congressional Budget and Impoundment Control Act of 1974; to the Committee on Appropriations.

By Mr. WAXMAN (for himself, Mr.

FASCELL, Mr. MILLER of California, Mr. BOEHLERT, Mr. BROWN, Mr. STUDDS, Mr. GILCHREST, Mr. RAVENEL, Mr. SOLARZ, Ms. PELOSI, Mr. GILMAN, Mr. BRYANT, Mr. SIKORSKI, Mr. COOPER, Mr. SYNAR, Mr. FRANK of Massachusetts, Mr. HUGHES, Mr. ORTON, Mr. MCMILLEN of Maryland, Mr. HOCHBRUECKNER, Mr. KOSTMAYER, Mr. YATES, Mr. SMITH of Florida, Mr. MCHUGH, Mr. ANDREWS of Maine, Mr. ANNUNZIO, Mr. BEILENSON, Mr. MARTINEZ, Mrs. SCHROEDER, Mr. OWENS of New York, Mr. ROYBAL, Mr. LEHMAN of Florida, Mr. OWENS of Utah, Mr. MORAN, Mr. WHEAT, Mr. COLEMAN of Texas, Mr. BERMAN, Mr. BLACKWELL, Mr. MCDERMOTT, Mr. DELLUMS, Mr. AUCOIN, Mr. PETERSON of Minnesota, Mr. DEFazio, Mr. HORTON, Mr. BILBRAY, Mr. ABERCROMBIE, Mr. STARK, Mr. KENNELLY, Mr. SCHEUER, Mr. LEHMAN of California, Mr. HAMILTON, Mr. SKAGGS, Mr. SERRANO, Mr. PALLONE, Mr. VENTO, Mr. ANDREWS of New Jersey, Ms. HORN, Mrs. COLLINS of Illinois, Mr.

KOPETSKI, Mr. TORRES, Ms. MOLINARI, Mr. MAVROULES, Mr. PANETTA, Mr. PAYNE of New Jersey, Mr. SANDERS, Mr. EVANS, Mr. WASHINGTON, Mr. EDWARDS of California, Mr. WOLPE, Mr. OBERSTAR, Ms. SLAUGHTER, Mr. WYDEN, Mr. CARDIN, Mrs. MINK, Mr. MATSUI, Mr. TORRICELLI, Mr. LEVINE of California, Mr. JONTZ, Mrs. UNSOELD, Mr. SWETT, Mr. CONYERS, Mr. KENNEDY, Mr. TOWNS, Mr. SCHUMER, Mr. GUARINI, Mr. ATKINS, Mr. ROE, Mr. FROST, Mr. PEASE, Mr. JOHNSTON of Florida, Mr. WELDON, Mr. SANGMEISTER, Mr. GONZALEZ, Mrs. LOWEY of New York, Mr. DWYER of New Jersey, Mrs. BOXER, Mr. MACHTLEY, Mr. LANTOS, Mr. FAZIO, Mr. DIXON, Mr. DOWNEY, Mr. WEISS, Mr. ENGEL, and Mr. MRAZEK):

H.R. 4750. A bill to stabilize emissions of carbon dioxide to protect the global climate; to the Committee on Energy and Commerce.

By Mr. COX of Illinois:

H.R. 4751. A bill to suspend until January 1, 1995, the duty on xylitol; to the Committee on Ways and Means.

H.R. 4752. A bill to suspend until January 1, 1995, the duty on skateboard trucks; to the Committee on Way and Means.

By Mr. FALEOMAVAEGA:

H.R. 4753. A bill to amend the Rural Electrification Act of 1936 to eliminate the requirement that central station service be unavailable in the case of rural electrification loans; to the Committee on Agriculture.

By Mr. GALLEGLY (for himself, Mr. HYDE, Mr. LOWERY of California, Mr. BEILENSEN, Mr. HEFLEY, Mr. ROHRBACHER, Mr. ECKART, Mr. CUNNINGHAM, Mr. HUNTER, Mr. DE LA GARZA, Mr. GOSS, Mr. STUMP, Mr. COX of California, Mr. LAGOMARSINO, Mr. HERGER, and Mr. SMITH of Texas):

H.R. 4754. A bill to provide for 2,000 additional border patrol agents from military personnel displaced by defense cutbacks; to the Committee on the Judiciary.

By Mr. GUNDERSON (for himself, Mr. ROBERTS, Mr. SYNAR, Mr. SLATTERY, Mr. DORGAN of North Dakota, Mr. EMERSON, Mr. TOWNS, Mr. PERKINS, Mr. COLEMAN of Missouri, Mr. PETRI, Mr. COMBEST, Mr. BREWSTER, Mr. DURBIN, Mr. LEACH, Mr. CHAPMAN, Ms. SLAUGHTER, and Ms. SNOWE):

H.R. 4755. A bill to amend title XVIII of the Social Security Act to extend until March 31, 1994, the period during which Medicare-dependent, small rural hospitals may be paid under alternative reimbursement methodologies for the operating costs of inpatient hospital services under the Medicare Program; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mrs. KENNELLY, and Mr. FRANKS of Connecticut):

H.R. 4756. A bill to amend the provisions of the Omnibus Trade and Competitiveness Act of 1988 with respect to the enforcement of machine tool import arrangements; to the Committee on Ways and Means.

By Mr. LANCASTER (for himself and Mr. VALENTINE):

H.R. 4757. A bill relating to the tariff treatment of pharmaceutical grade phospholipids and soybean oil; to the Committee on Ways and Means.

By Mr. LANCASTER (for himself, Mr. PRICE, and Mr. VALENTINE):

H.R. 4758. A bill to suspend until January 1, 1995, the duty on Cefuroxime Axetil (bulk and dosage forms); to the Committee on Ways and Means.

By Mr. PANETTA:

H.R. 4759. A bill to amend title XVII of the Social Security Act to provide for improved quality and cost control mechanisms to ensure the proper and prudent purchasing of durable medical equipment under the Medicare Program, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. SHAYS:

H.R. 4760. A bill to amend title VI of the Communications Act of 1934 to ensure carriage on cable television of local news and other programming and to restore the right of local regulatory authorities to regulate cable television rates, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TORRICELLI (for himself, Mr. FASCELL, Mr. RANGEL, Mr. LAGOMARSINO, Mr. WEISS, Mr. KOSTMAYER, Mr. JOHNSTON of Florida, Mr. GOSS, and Mr. SMITH of Florida):

H.R. 4761. A bill to support efforts to promote democracy in Haiti; jointly, to the Committees on Foreign Affairs and the Judiciary.

By Mr. WILLIAMS:

H.R. 4762. A bill to amend the Emergency Unemployment Compensation Act of 1991 with respect to the eligibility requirement for benefits under such act; to the Committee on Ways and Means.

By Mr. ROE:

H. Con. Res. 303. Concurrent resolution authorizing the presentation of a program on the Capitol grounds in connection with National Physical Fitness and Sports Month; to the Committee on Public Works and Transportation.

By Mr. GEPHARDT:

H. Res. 417. Resolution expressing the sense of the House of Representatives regarding foreign government subsidies that distort international trade and injure U.S. industries; to the Committee on Ways and Means.

By Ms. SNOWE:

H. Res. 418. Resolution to amend the Rules of the House of Representatives to limit the size of committees to 25 members and to prohibit Members from serving on more than 1 standing committee; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

355. By the SPEAKER: Memorial of the Legislature of the State of Utah, relative to the impact of IRS Code provisions on government pension plans; to the Committee on Ways and Means.

356. Also, memorial of the Legislature of the State of Utah, relative to tax exempt mortgage revenue bonds and Federal low income housing tax credits; to the Committee on Ways and Means.

357. Also, memorial of the Legislature of the State of Utah, relative to the Human Protection Act of 1991; jointly, to the Committees on Merchant Marine and Fisheries and the Judiciary.

358. Also, memorial of the Legislature of the State of Utah, relative to the records regarding the Kennedy assassination; jointly, to the Committees on Rules and House Administration.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 119: Mr. SHAYS.
H.R. 303: Mrs. ROUKEMA.
H.R. 398: Mr. KOLTER, Mr. GUARINI, and Mr. KLUG.

H.R. 606: Mr. GILLMOR.
H.R. 612: Mr. AUCOIN.
H.R. 766: Mr. MORAN.
H.R. 809: Mr. MAZZOLI.
H.R. 1439: Mr. HEFLEY.

H.R. 1623: Mr. FRANKS of Connecticut, Mr. PALLONE, and Mr. GILLMOR.
H.R. 1624: Mr. FRANKS of Connecticut, Mr. ZELIFF, Mr. PALLONE, and Mr. GILLMOR.

H.R. 1696: Mr. BEREUTER.
H.R. 2286: Mr. GILLMOR.
H.R. 2734: Mr. LEHMAN of California, Mr. MURPHY, and Mr. PALLONE.
H.R. 2766: Mr. VENTO.
H.R. 3056: Mr. LIPINSKI and Mr. BUSTAMANTE.

H.R. 3082: Mr. KLUG, Mr. RANGEL, Mrs. JOHNSON of Connecticut, Mr. EMERSON, Mr. SOLOMON, and Mr. DEFAZIO.
H.R. 3164: Mrs. ROUKEMA.
H.R. 3332: Mr. COLORADO.

H.R. 3441: Mr. COX of California.
H.R. 3442: Mr. THOMAS of California and Mr. ROHRBACHER.
H.R. 3463: Mr. ENGEL.
H.R. 3605: Mr. STUMP and Mr. BAKER.
H.R. 3612: Mr. GINGRICH.
H.R. 3908: Mr. DICKS.

H.R. 4094: Mr. HORTON, Mr. RANGEL, and Mr. ROE.
H.R. 4272: Mr. MOODY and Mr. ATKINS.
H.R. 4276: Mrs. BYRON, Mr. LAROCCO, Mr. GLICKMAN, Mr. MARTINEZ, Mr. PENNY, Mr. JOHNSON of South Dakota, Mr. SANDERS, Mr. MCDERMOTT, Mr. MCCLOSKEY, Mr. KOPETSKI, Mr. LEWIS of Florida, Mr. BEREUTER, and Mr. ZELIFF.

H.R. 4378: Mrs. MORELLA, Mr. KOPETSKI, Mr. RINALDO, and Mr. LANCASTER.
H.R. 4386: Mr. LAGOMARSINO, Mr. ZIMMER, Mr. GILLMOR, Mr. JONTZ, Mr. RANGEL, Mrs. JOHNSON of Connecticut, Mr. PENNY, and Mr. SHAYS.

H.R. 4416: Mr. JONES of North Carolina and Mr. ESPY.
H.R. 4435: Mr. SANDERS and Mr. SENSENBRENNER.
H.R. 4530: Mr. LAFALCE, Mr. LIPINSKI, and Mr. REED.

H.J. Res. 248: Mr. LOWERY of California, Mr. SMITH of New Jersey, Mr. RHODES, Mr. JOHNSON of Texas, Mr. MARLENEE, Mr. KLUG, and Mrs. BENTLEY.
H.J. Res. 357: Mr. STUMP.
H.J. Res. 397: Mr. MATSUI, Mr. OWENS of Utah, Mr. SANDERS, Mr. SERRANO, and Mr. TOWNS.

H.J. Res. 434: Mr. UPTON and Mr. MCNULTY.
H.J. Res. 445: Mr. LAGOMARSINO, Mr. ROE, Ms. OAKAR, Ms. HORN, Mr. SMITH of New Jersey, Mr. ANNUNZIO, Mr. ERDREICH, Mr. SHAYS, Mrs. ROUKEMA, Mr. MILLER of California, Mr. EMERSON, Mr. STUDDS, Mr. ANDERSON, Mr. COUGHLIN, Mr. MFUME, Mr. QUILLLEN, Mr. JONES of North Carolina, Mr. MCCRERY, Mr. LEHMAN of Florida, Mr. ROWLAND, and Mr. STARK.

H. Con. Res. 96: Mr. LUKEN, Mr. BENNETT, Mr. KLUG, Ms. LONG, Mr. GLICKMAN, Mr. JONTZ, and Mr. CAMPBELL of Colorado.
H. Con. Res. 233: Mr. RIGGS, Mr. SANTORUM, Mrs. VUCANOVICH, Mr. JONES of North Carolina, Mr. PALLONE, Mr. PRICE, Mr. EMERSON, Mr. JONTZ, Mr. ESPY, Mr. LAGOMARSINO, and Mr. SHAYS.

H. Res. 370: Mr. BATEMAN, Mr. PAXON, and Mrs. MEYERS of Kansas.
H. Res. 377: Mr. PAXON.
H. Res. 387: Mr. LIPINSKI.

