

HOUSE OF REPRESENTATIVES—Tuesday, September 21, 1993

The House met at 12 noon.
The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O gracious God, we know Your world exhibits the variety of a bountiful creation—with peoples of all backgrounds, with varying styles and abilities, with all the conflicting interests and ambitions. Teach us, O God, to see more clearly that which binds us together as one people, to share more honestly our hopes and dreams, to support each other in every time of need, and, at all times, to sense that we all have been created by Your hand to do the works of justice and of truth and of peace. In Your name, we pray. Amen.

THE JOURNAL

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

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

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

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

The question was taken; and on a division (demanded by Mr. BURTON of Indiana) there were—ayes 8, noes 18.

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

The SPEAKER. Under the provisions of clause 5, rule I, the Chair will postpone this vote until the end of the day.

The point of no quorum is considered withdrawn.

PARLIAMENTARY INQUIRY

Mr. BURTON of Indiana. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURTON of Indiana. Mr. Speaker, if there has been a division, can the Chair postpone the vote on the Journal?

The SPEAKER. The gentleman from Kentucky [Mr. MAZZOLI] made a point of order that a quorum was not present and objected to the division vote on the ground that a quorum is not present. Under those proceedings if a quorum is not present, the yeas and nays are ordered automatically, unless the question is postponed by the Chair as permitted by clause 5(b), rule I.

MOTION TO ADJOURN

Mr. BURTON of Indiana. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion offered by the gentleman from Indiana [Mr. BURTON].

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 11, nays 376, not voting 46, as follows:

[Roll No. 435]

YEAS—11

Allard	Crane	Rohrabacher
Baker (CA)	DeLay	Stump
Brown (CA)	Doolittle	Taylor (NC)
Burton	Hancock	

NAYS—376

Ackerman	Cardin	Ewing	Hefley	McCurdy	Sarpalius
Andrews (ME)	Carr	Farr	Herger	McDermott	Sawyer
Andrews (NJ)	Castle	Fawell	Hilliard	McHale	Saxton
Andrews (TX)	Chapman	Fazio	Hoagland	McHugh	Schaefer
Applegate	Clay	Fields (LA)	Hobson	McInnis	Schenck
Archer	Clayton	Fields (TX)	Hochbrueckner	McKeon	Schiff
Army	Clement	Filner	Hoekstra	McMillan	Schroeder
Bacchus (FL)	Clinger	Fingerhut	Hoke	McNulty	Schumer
Bacchus (AL)	Clyburn	Fish	Holden	Meehan	Scott
Ballenger	Coble	Flake	Horn	Meek	Sensenbrenner
Barca	Coleman	Ford (TN)	Houghton	Menendez	Serrano
Barcia	Collins (GA)	Fowler	Hoyer	Meyers	Sharp
Barlow	Collins (IL)	Frank (MA)	Huffington	Mica	Shays
Barrett (NE)	Collins (MI)	Franks (CT)	Hughes	Michel	Shepherd
Barrett (WI)	Combest	Franks (NJ)	Hunter	Miller (CA)	Shuster
Bartlett	Conyers	Frost	Hutchinson	Miller (FL)	Skaggs
Barton	Coppersmith	Furse	Hutto	Minge	Skeen
Bateman	Costello	Gallely	Hyde	Mink	Skelton
Becerra	Cox	Gallo	Inglis	Moakley	Slattery
Beilenson	Coyne	Gekas	Inhofe	Mollohan	Slaughter
Bereuter	Cramer	Gephardt	Inlee	Montgomery	Smith (IA)
Bevill	Crapo	Geren	Istook	Moorhead	Smith (MI)
Bibray	Cunningham	Gibbons	Jacobs	Moran	Smith (NJ)
Billrakis	Danner	Gilchrest	Jefferson	Morella	Smith (OR)
Bishop	Darden	Gillmor	Johnson (CT)	Murphy	Smith (TX)
Bliley	de la Garza	Gilman	Johnson (GA)	Murtha	Snowe
Blute	Deal	Gingrich	Johnson (SD)	Myers	Solomon
Boehlert	DeLauro	Glickman	Johnson, E. B.	Nadler	Spence
Boehner	Derrick	Gonzalez	Johnson, Sam	Natcher	Spratt
Bonilla	Diaz-Balart	Goodlatte	Johnsonst	Neal (MA)	Stearns
Bonior	Dickey	Gordon	Kanjorski	Nussle	Stenholm
Borski	Dicks	Goss	Kasich	Oberstar	Stokes
Boucher	Dingell	Grams	Kennedy	Obey	Strickland
Brewster	Dixon	Grandy	Kennelly	Oliver	Studds
Brooks	Dooley	Green	Kildee	Ortiz	Stupak
Browder	Dreier	Gunderson	Kim	Orton	Sundquist
Brown (OH)	Duncan	Gutierrez	King	Oxley	Swett
Bryant	Dunn	Hall (OH)	Kleczka	Packard	Swift
Bunning	Durbin	Hall (TX)	Klink	Pallone	Synar
Buyer	Edwards (CA)	Hamburg	Klug	Parker	Talent
Byrne	Edwards (TX)	Hamilton	Knollenberg	Pastor	Tanner
Callahan	Emerson	Hansen	Kolbe	Paxon	Tauzin
Calvert	English (AZ)	Harman	Kopetski	Payne (VA)	Taylor (MS)
Camp	English (OK)	Hastert	Kreidler	Pelosi	Tejeda
Canady	Eshoo	Hastings	Kyl	Penny	Thomas (CA)
Cantwell	Evans	Hayes	LaFalce	Peterson (FL)	Thomas (WY)
			Lambert	Peterson (MN)	Thompson
			Lancaster	Petri	Thornton
			Lantos	Pickett	Thurman
			LaRocco	Pickle	Torkildsen
			Laughlin	Pombo	Torricelli
			Lazio	Pomeroy	Towns
			Leach	Porter	Tucker
			Lehman	Portman	Unsoeld
			Levin	Poshard	Upton
			Levy	Price (NC)	Valentine
			Lewis (CA)	Pryce (OH)	Velazquez
			Lewis (FL)	Quillen	Vento
			Lewis (GA)	Quinn	Viscosky
			Lightfoot	Rahall	Volkmer
			Linder	Ramstad	Vucanovich
			Lipinski	Ravenel	Walker
			Livingston	Reed	Walsh
			Lloyd	Regula	Waters
			Long	Reynolds	Watt
			Lowey	Richardson	Waxman
			Machtley	Roberts	Weldon
			Maloney	Roemer	Wheat
			Mann	Rogers	Whitten
			Manton	Rose	Williams
			Manzullo	Rostenkowski	Wise
			Margolies-	Roth	Wolf
			Mezvinsky	Roukema	Woolsey
			Markey	Rowland	Wyden
			Martinez	Royal-Allard	Wynn
			Mazzoli	Royce	Yates
			McCandless	Rush	Young (AK)
			McCloskey	Sabo	Young (FL)
			McCollum	Sangmeister	Zimmer
			McCrary	Santorum	

NOT VOTING—46

Abercrombie	Baker (LA)	Berman
Baesler	Bentley	Blackwell

□ 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.

Brown (FL)	Hefner	Rangel
Condit	Hinchey	Ridge
Cooper	Kaptur	Ros-Lehtinen
DeFazio	Kingston	Sanders
Dellums	Klein	Shaw
Deutch	Matsui	Sisisky
Dornan	McDade	Stark
Engel	McKinney	Torres
Everett	Mfume	Trafigant
Foglietta	Mineta	Washington
Ford (MI)	Molinari	Wilson
Gejdenson	Neal (NC)	Zeliff
Goodling	Owens	
Greenwood	Payne (NJ)	

□ 1237

Messrs. ANDREWS of Texas, ANDREWS of New Jersey, MYERS of Indiana, and PORTER, Mrs. LOWEY, and Mr. TAYLOR of Mississippi changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. BROWN of Florida. Mr. Speaker, because I was unfortunately delayed today at a meeting off the hill with Haitian President Aristide, I missed one recorded vote. Had I been here, I would have voted nay on rollcall vote 435.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The Chair asked the gentleman from Ohio [Mr. HOKE] to lead the House in the Pledge of Allegiance.

Mr. HOKE 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 bill of the House of the following title:

H.R. 1513. An act to designate the United States courthouse located at 10th and Main Streets in Richmond, VA, as the "Lewis F. Powell, Jr. United States Courthouse."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2520. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2520) "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses there-

on, and appoints Mr. BYRD, Mr. JOHNSTON, Mr. LEAHY, Mr. DECONCINI, Mr. BUMPERS, Mr. HOLLINGS, Mr. REID, Mrs. MURRAY, Mr. NICKLES, Mr. STEVENS, Mr. COCHRAN, Mr. DOMENICI, Mr. GORTON, Mr. HATFIELD, and Mr. BURNS to be the conferees on the part of the Senate.

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

S. 597. An act to designate the United States courthouse located at 10th and Main Streets in Richmond, VA, as the "Lewis F. Powell, Jr. United States Courthouse;"

S. 1298. An act to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense programs of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes;

S. 1337. An act to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes;

S. 1338. An act to authorize appropriations for fiscal year 1994 for military construction, and for other purposes;

S. 1339. An act to authorize appropriations for fiscal year 1994 for defense activities of the Department of Energy, and for other purposes; and

S. 1381. An act to improve administrative services and support provided to the National Forest Foundation, and for other purposes.

The message also announced that pursuant to Public Law 102-325, the Chair, on behalf of the Republican leader, appointsCarolynn Reid-Wallace, as a member of the National Commission on Independent Higher Education.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana) laid before the House the following communication from the Clerk of the House of Representatives:

September 21, 1993.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Thursday, September 16, 1993 at 1:35 p.m.: that the Senate passed without amendment H.R. 168 and H.R. 2431.

With great respect, I am,
Sincerely yours,

DONNALD K. ANDERSON,
Clerk, House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that, pursuant to clause 4 of rule I, the Speaker signed the following enrolled bills and

joint resolutions on Thursday, September 16, 1993:

H.R. 873. An act to provide for the consolidation and protection of the Gallatin range; H.J. Res. 220. Joint resolution to designate the month of August as "National Scleroderma Awareness Month," and for other purposes; and

S. 184. An act to provide for the exchange of certain lands within the State of Utah, and for other purposes.

S.J. Res. 50. Joint resolution to designate the weeks of September 19, 1993, through September 25, 1993, and of September 18, 1994, through September 24, 1994, as "National Rehabilitation Week"; and

S.J. Res. 95. Joint resolution to designate October 1993 as "National Breast Cancer Awareness Month".

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON WAYS AND MEANS

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Ways and Means:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 21, 1993.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, H-209, The Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to rule L (50) of the Rules of the House, that the Custodian of Records of my office has been served with a subpoena issued by the United States Court for the District of Columbia.

After consultation with the General Counsel to the Clerk, I have determined that compliance with the subpoena is consistent with the privileges of the House.

Sincerely yours,
DAN ROSTENKOWSKI,
Chairman.

□ 1240

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON HOUSE ADMINISTRATION

The SPEAKER pro tempore (Mr. FIELDS of Louisiana) laid before the House the following communication from the chairman of the Committee on House Administration:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, September 17, 1993.

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

DEAR MR. SPEAKER: This is to inform you, pursuant to Rule L (50) of the Rules of the House, that an employee of the Committee on House Administration has been served with a subpoena issued by the U.S. District Court for the District of Columbia.

After consultation with the General Counsel, I will make the determinations required by the Rule.

With my very best wishes,
Sincerely,

CHARLIE ROSE,
Chairman.

COMMUNICATION FROM DAVID L. ANDRUKITIS, CLERK, MAJORITY ROOM

The SPEAKER pro tempore laid before the House the following communication from David L. Andrukitis, clerk, majority room:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 17, 1993.

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

DEAR MR. SPEAKER: This is to inform you pursuant to Rule L (50) of the Rules of the House that I was served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel, it was determined that compliance was consistent with the privileges and precedents of the House.

Sincerely,

DAVID L. ANDRUKITIS.

COMMUNICATION FROM LEONARD P. WISHART III, DIRECTOR, NON-LEGISLATIVE AND FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following communication from Leonard P. Wishart III, Director of Non-Legislative and Financial Services:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 16, 1993.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, H-204, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the United States District Court, District of Columbia.

After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

LEONARD P. WISHART III,
Director.

COMMUNICATION FROM THE HONORABLE TOM LANTOS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable TOM LANTOS, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 15, 1993.

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

DEAR MR. SPEAKER: This is to inform you, pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued in a criminal case pending in the United States District Court for the District of Columbia.

After consultation with the General Counsel, I will make the determination required by the rule.

Cordially,

TOM LANTOS,
Member of Congress.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
September 16, 1993.

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

DEAR MR. SPEAKER: This is to notify you, pursuant to Rule L (50) of the Rules of the House my office has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel of the House, I have determined, that compliance with the subpoena is not inconsistent with the privileges and precedents of the House.

With great respect, I am

Sincerely yours,

DONNALD K. ANDERSON,
Clerk, House of Representatives.

COMMUNICATION FROM THE HONORABLE CHRISTOPHER SHAYS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable CHRISTOPHER SHAYS, Member of Congress:

CONGRESS OF THE UNITED STATES,
September 14, 1993.

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

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that a member of my staff has been served with a subpoena issued by the Superior Court for the Judicial District of Waterbury, Connecticut.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

CHRISTOPHER SHAYS,
Member of Congress.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar. The Clerk will call the first individual bill on the Private Calendar.

JAMES B. STANLEY

The Clerk called the bill (H.R. 808) for the relief of James B. Stanley.

There being no objection, the Clerk read the bill, as follows:

H.R. 808

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

SECTION 1. APPROPRIATION OF FUNDS.

(a) PAYMENT.—The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, \$400,577 to James B. Stanley.

(b) BASIS.—The payment required by subsection (a) shall be to compensate James B.

Stanley for the physical, psychological, and economic injuries sustained by him as a result of the administration to him, without his knowledge, of lysergic acid diethylamide by United States Army personnel in 1958.

SEC. 2. SATISFACTION OF CLAIMS.

The payment made pursuant to section 1(a) shall be in full satisfaction of all claims James B. Stanley may have against the United States for—

(1) the injuries received by him as described in section 1; and

(2) for any injuries received by him subsequent to his discharge from the United States Army that are the result of the injuries described in section 1.

SEC. 3. INELIGIBILITY FOR ADDITIONAL BENEFITS.

James B. Stanley shall not be eligible for any compensation or benefits from the Department of Veterans Affairs or the Department of Defense for any injury received by him as described in section 1.

SEC. 4. LIMITATION OF ATTORNEYS' OR AGENTS' FEES.

It shall be unlawful for an amount of more than 10 per centum of the amount paid pursuant to section 1 to be paid to or received by any attorney or agent of James B. Stanley for any service rendered in connection with the payment made by this Act. Any person who violates this section shall be guilty of an infraction and shall be subject to a fine in the amount provided in title 18, United States Code.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 390, nays 1, not voting 42, as follows:

[Roll No. 436]

YEAS—390

Ackerman	Blute	Clyburn
Allard	Boehler	Coble
Andrews (ME)	Boehner	Coleman
Andrews (NJ)	Bonilla	Collins (GA)
Andrews (TX)	Borski	Collins (IL)
Applegate	Boucher	Collins (MI)
Archer	Brewster	Combest
Army	Brooks	Conyers
Bachus (AL)	Browder	Coppersmith
Baker (CA)	Brown (FL)	Costello
Baker (LA)	Brown (OH)	Cox
Ballenger	Bryant	Coyne
Barca	Bunning	Cramer
Barcia	Burton	Crane
Barlow	Buyer	Crapo
Barrett (NE)	Byrne	Cunningham
Barrett (WI)	Callahan	Danner
Bartlett	Calvert	Darden
Barton	Camp	Deal
Bateman	Canady	DeFazio
Becerra	Cantwell	DeLauro
Bellenson	Cardin	DeLay
Bereuter	Castle	Dellums
Bevill	Chapman	Diaz-Balart
Bilbray	Clay	Dickey
Bilirakis	Clayton	Dicks
Bishop	Clement	Dingell
Billey	Clinger	Dixon

Dooley King Pickett Walker Wheat Wynn
 Doolittle King Pickle Walsh Whitten Yates
 Dreier Kleczka Pombo Washington Williams Young (FL)
 Duncan Klink Pomeroy Waters Wise Zeliff
 Dunn Klug Porter Watt Wolf Zimmer
 Durbin Knollenberg Portman Waxman Woolsey
 Edwards (CA) Kolbe Poshard Weldon Wyden
 Edwards (TX) Kopetski Price (NC)
 Emerson Kreidler Pryce (OH)
 Engel Kyl Quillen
 English (AZ) LaFalce Quinn
 English (OK) Lambert Rahall
 Eshoo Lancaster Ramstad
 Evans Lantos Rangel Abercrombie Dorman Mfume
 Ewing LaRocco Ravenel Bacchus (FL) Everett Neal (NC)
 Farr Laughlin Reed Baesler Ford (MI) Ortiz
 Fawell Lazio Regula Bentley Gephardt Payne (NJ)
 Fazio Leach Reynolds Berman Greenwood Ros-Lehtinen
 Fields (LA) Lehman Richardson Blackwell Hefner Sanders
 Fields (TX) Levin Ridge Brown (CA) Istook Shaw
 Filner Levy Roberts Carr Jacobs Torakildsen
 Fingerhut Lewis (CA) Roemer Condit Kaptur Torres
 Fish Lewis (FL) Rogers Cooper Kingston Towns
 Flake Lewis (GA) Rohrabacher de la Garza Klein Traficant
 Foglietta Lightfoot Rose Derrick McCandless Valente
 Ford (TN) Linder Rostenkowski Deutch McDade Wilson
 Fowler Lipinski Roth
 Frank (MA) Livingston Roukema
 Franks (CT) Lloyd Rowland
 Franks (NJ) Long Roybal-Allard
 Frost Lowey Royce
 Furse Machtley Rush
 Gallegly Maloney Sabo
 Gallo Mann Sangmeister
 Gejdenson Manton Santorum
 Gekas Manzullo Sarpalius
 Geren Margolies-Sawyer
 Gibbons Mezvinsky Saxton
 Gilchrist Markey Schaefer
 Gillmor Martinez Schenk
 Gilman Matsui Schiff
 Gingrich Mazzoli Schroeder
 Glickman McCloskey Schumer
 Gonzalez McCollum Scott
 Goodlatte McCrery Sensenbrenner
 Gooding McCurdy Serrano
 Gordon McDermott Sharp
 Goss McHale Shays
 Grams McHugh Shepherd
 Grandy McInnis Shuster
 Green McKeon Sisisky
 Gunderson McKinney Skaggs
 Gutierrez McMillan Skeen
 Hall (OH) McNulty Skelton
 Hall (TX) Meehan Slattery
 Hamburg Meek Slaughter
 Hamilton Menendez Smith (IA)
 Hancock Meyers (KS) Smith (MI)
 Hansen Mica Smith (NJ)
 Harman Michel Smith (OR)
 Hastert Miller (CA) Smith (TX)
 Hastings Miller (FL) Snowe
 Hayes Mineta Solomon
 Hefley Minge Spence
 Herger Mink Spratt
 Hilliard Moakley Stark
 Hoagland Molinari Stearns
 Hobson Mollohan Stenholm
 Hochbrueckner Montgomery Stokes
 Hoekstra Moorhead Strickland
 Hoke Moran Studts
 Holden Morella Stump
 Horn Murphy Stupak
 Houghton Murtha Sundquist
 Hoyer Myers (IN) Swift
 Huffington Nadler Synar
 Hughes Natcher Talent
 Hunter Neal (MA) Tanner
 Hutchinson Nussle Tauzin
 Hutto Oberstar Taylor (MS)
 Hyde Obey Taylor (NC)
 Inglis Oliver Tejeda
 Inhofe Orton Thomas (CA)
 Inslee Owens Thomas (WY)
 Jefferson Oxley Thompson
 Johnson (CT) Packard Thornton
 Johnson (GA) Pallone Thurman
 Johnson (SD) Parker Torricelli
 Johnson, E. B. Pastor Tucker
 Johnson, Sam Paxon Unsoeld
 Johnston Payne (VA) Upton
 Kanjorski Pelosi Velazquez
 Kasich Penny Vento
 Kennedy Peterson (FL) Visclosky
 Kennelly Peterson (MN) Volkmer
 Kildee Petri Vucanovich

NAYS—1

Young (AK)
 NOT VOTING—42

Bentley
 Berman
 Blackwell
 Bonior
 Brown (CA)
 Carr
 Condit
 Cooper
 de la Garza
 Derrick
 Deutch

□ 1302

So the bill was ordered to be engrossed and read a third time, and was read the third time.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the passage of the bill.

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

Mr. SOLOMON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. Pursuant to rule I, clause 5, further proceedings on this vote will be postponed until the end of the day.

ANNOUNCEMENT REGARDING FILING OF PROPOSED AMENDMENTS ON H.R. 2351, THE ARTS, HUMANITIES, AND MUSEUM AMENDMENTS OF 1993

Mr. BEILENSON. Mr. Speaker, this is to notify Members regarding the Rules Committee's plan on H.R. 2351, the Arts, Humanities, and Museums Amendments of 1993. The committee is planning to meet on the measure this week to take testimony and grant a rule on the bill. In order to assure timely consideration on the bill on the floor, the Rules Committee is considering a rule that may limit the offering of amendments.

Any Member who is contemplating an amendment to H.R. 2351 should submit, to the Rules Committee in H 312 in the Capitol, 55 copies of the amendment and a brief explanation of the amendment no later than 12 noon on Wednesday, September 22, 1993. In addition to this announcement, a dear colleague letter was circulated to all offices on September 16 informing Members of this request.

The committee appreciates the cooperation of all Members in this effort to be fair and orderly in granting a rule for H.R. 2351.

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

Mr. BEILENSON. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, if I might just check, is the gentleman from California [Mr. BEILENSON] saying the Committee on Rules requests that if we want amendments considered on H.R. 2351, we should submit 55 copies of the amendment to the Committee on Rules before noon?

Mr. BEILENSON. Fifty-five copies.

Mr. ARMEY. Mr. Speaker, is it possible that the gentleman from California [Mr. BEILENSON] could give me any assurance that Republicans that submit such rule requests would have them given equal consideration to the consideration given to Democrats who do not comply with that requirement?

Mr. BEILENSON. Mr. Speaker, the Committee on Rules will insist that any amendments which are offered be offered by noon tomorrow, whether it is from Members of the majority or minority party.

Mr. ARMEY. Mr. Speaker, that has not always been the case. In this case the gentleman from California [Mr. BEILENSON] assures me that will be true?

Mr. BEILENSON. Mr. Speaker, the gentleman assures his friend from Texas that will be the case.

THE HATE CRIMES SENTENCING ENHANCEMENT ACT OF 1993

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

Mr. NADLER. Mr. Speaker, I rise today in support of the Hate Crimes Sentencing Enhancement Act of 1993 which will increase the penalties for crimes directed against individuals simply because of their race, religion, sex, nationality, or sexual orientation. This legislation demonstrates our society's rightful abhorrence against these despicable and cowardly crimes.

All crimes of violence hurt the individuals who must suffer the attack. But hate crimes attack entire communities, sending them the message that they are not as free to walk the streets, earn a living, and enjoy the fundamental rights that should be available to all citizens.

If we as a nation truly value freedom and human dignity, then we must act today against hate crimes. There can be no place in America for intolerance and hate. I know that my family, like those of many Americans, came to this country to be free from bigotry. Even today, people from around the world look to us as a beacon of freedom. But our tradition of tolerance is threatened by the thugs responsible for the rising tide of hate crimes. We must act now.

I urge my colleagues to vote in favor of the hate Crimes Sentencing Enhancement Act of 1993.

BIPARTISAN HEALTH CARE REFORM NEEDED

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

Mr. GINGRICH. Mr. Speaker, tomorrow night the President will come to this room to address the Nation about health care. I think it is a very good thing that we begin a debate on how to reform our health care system and how to ensure that every American has access to health care.

We on the Republican side have been working for the last 24 months, and have introduced an affordable health care now bill which has three great advantages: You as an individual can afford it and your family can afford it; second, the economy and jobs can afford it; and, third, every single reform in the bill could be passed now. Not in 2002, not to be implemented eventually, and not to be phased in gradually. But the affordable health care now bill could actually be implemented immediately.

Mr. Speaker, I would hope after tomorrow night's speech, that we will have a chance on a bipartisan basis to work together to shape the kind of bill which will give every American access to affordable health care and do so in a practical common sense way that passes the reforms now, so people can get health care now.

CONCERN OVER UNITED STATES MISSION IN SOMALIA

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

Mr. MAZZOLI. Mr. Speaker, those haunting pictures that we became so familiar with a year ago of the starving men, women, and children in Somalia, motivated our Nation correctly into assuming part of the worldwide duty of delivering food aid and humanitarian assistance in that tortured country. But as the months have gone on, Mr. Speaker, I, myself, and other Members of the Congress and the country have become concerned about where we are going and what our mission is in Somalia.

Mr. Speaker, it became one which, instead of a humanitarian mission, some say is now a nation-building mission. Some call it a search and destroy mission, searching out Mr. Aided to kill him or move him away from power.

□ 1310

It seems to me that the senior Senator from West Virginia in the other body is correct in his amendment that was adopted to the other body's defense bill. That amendment says the Congress ought to make the decision about where we are going in Somalia, what our mission is, what our goal is.

I would urge the President to consider that amendment very carefully and to withdraw the troops because we are clearly in a quagmire. We must get out of that quagmire.

THE ROLE OF GOVERNMENT

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

Mr. BOEHNER. Mr. Speaker, there is one central question that must be answered by the American people on the issue of health care: Do you trust the Government to make the right health care choices for your family?

If the answer is yes, then the people will back the Clinton plan. If the answer is no, then the people should back the House Republican plan.

Stripped of its rhetoric and high-powered media campaign, the Clinton health care plan limits the choices of the private sector, increases the presence of Government in our lives, enhances bureaucracy, and limits the freedom of every American.

The Republican health care plan works within the system to lower costs, increase access, and maintain quality.

Mr. Speaker, last week the President acknowledged that Government is not a very efficient institution. Today, he seems to think that more Government is the best way to reform our health care system.

I and other Republicans want to work in a bipartisan fashion with our colleagues here in the House to pass a plan that is workable, affordable, and preserves choice for the American people.

INTRODUCTION OF YOUTH HANDGUN SAFETY ACT

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

Mr. GLICKMAN. Mr. Speaker, consider this appalling statistic: about 100,000 students bring handguns to school every day in the United States. That includes students in the schools of every Member of this House. Also, consider that the number of murders committed by youths, aged 10 to 17, with guns, rose 79 percent between 1980 and 1990. It should be no surprise, then, that the Journal of the American Medical Association found that the leading cause of death for both black and white teenage boys in America is gunshot wounds.

Too often these days, playground disputes are turning into schoolyard shootouts. And when we must seriously consider putting metal detectors in our schools, and I do not mean just a few schools, something has gone awry. We cannot sit back and allow these types

of statistics to proliferate. It is not fair to our students, to our teachers, and to our society. We must stand strong and tell our children that this is going to stop.

Today, Representative MIKE CASTLE and I are introducing the Youth Handgun Safety Act of 1993. This bill closes a loophole in existing Federal handgun law. Currently, Federal law makes it illegal for a licensed gun dealer to sell and give handguns to minors. However, it does not address the very real situations where other people sell and give handguns to minors. The current law also does not make it illegal for the minor to possess the handgun. The Youth Handgun Safety Act makes it illegal for anyone to sell or transfer a handgun to a minor, and it makes it illegal for the minor to possess the handgun. There are several exceptions for hunting, target practice, or instruction in the safe use of handguns while under the supervision of an adult, but beyond that, youths would not be permitted to have handguns. In other words, this bill makes the Federal law more meaningful, and provides minors with a real incentive to get rid of their handguns.

Several weeks ago, U.S. Attorney General Janet Reno visited my district to discuss the issue of guns and violence. She emphasized that parents and families are the first line of defense against kids turning to guns and violence. The Youth Handgun Safety Act encourages parental responsibility, and adult responsibility in general. Equally important, it makes youths responsible for their own actions. I hope all my colleagues will carefully consider their own responsibility to their constituents, both young and old, and join us to work to keep guns away from kids.

URGING A CAREFUL ANALYSIS OF THE PRESIDENT'S HEALTH CARE PLAN

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

Mr. HOKE. Mr. Speaker, tomorrow night the President of the United States is going to speak to Congress and the Nation about his proposal to reform the Nation's health care system. Thinking back to the State of the Union Address, I expect that we will be charmed and we will be energized and will hear a rousing address, but what I would like to suggest is a framework within which perhaps we can analyze the plan.

First of all, from a policy perspective, does the President's plan create a new bureaucracy, or will it rely on the private sector and market forces? Will it create new taxes? Will it empower consumers, or will it empower bureaucrats?

From a personal perspective, does the President's plan preserve our ability to choose our own doctor? Does it offer us

fewer or greater choices? Will it cost us more or less? Will we be better off before or after enactment?

I encourage the Members to think about this plan in terms of those kinds of questions, and finally, to ask this fundamental question: Will this plan increase our personal freedom, or will it decrease it?

NAFTA: A GOOD DEAL FOR THE UNITED STATES

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

Mr. COPPERSMITH. Mr. Speaker, I wish to speak today for 1 minute about the North American Free-Trade Agreement. It is hard to do in 1 minute, so I want to talk a little bit about the economic facts that show NAFTA is a good deal for the United States.

NAFTA, most people may not realize, significantly lowers Mexican tariffs, which on average are 2½ times ours. There are bigger changes for specific industries. Right now the Mexican tariff on pharmaceuticals is 4 times ours; on cars it is 9 times ours; on household appliances it is 17 times ours. NAFTA will lower Mexican tariffs and more fully open their market to American exports.

We also have expertise with prior reductions in tariffs with Mexico. In 1987, as part of a package of economic reforms, Mexican tariffs were lowered significantly, not to the United States level, but still lower than before. Our exports went from \$16 billion in 1987 to \$40.6 billion in 1992. We went from a \$5 billion trade deficit with Mexico to a \$5.4 billion trade surplus in 1992.

Exports also have benefited those industries with high value-added jobs, the kind of jobs that we need for the 1990's and the 21st century. More importantly, the great bulk of those exports has been consumed in Mexico, not at the maquiladoras.

If we look at the facts and not the fears, I think we all will understand that NAFTA is a good deal for the United States.

HEALTH CARE IS AN AMERICAN ISSUE

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

Mr. GOSS. Mr. Speaker, health care is not a Democrat issue or a Republican issue. It is an American issue. Expectations are high and so are the stakes. We are impacting people's pocketbooks, workplace benefits, and lifestyles in a dramatic and personal way. We are dealing with a giant—so huge it involves 1 out of every 7 dollars in our economy, so expansive it touches hundreds of millions of Americans.

To say we should work together is a giant understatement. There are many competing proposals to sort through. In the past few years Republicans and Democrats have worked on distinct, credible plans. This gentleman prefers a market-based system, without employer mandates, that controls costs, preserves choice and expands access but there will be honest debate and disagreement on policy matters in the days ahead.—Since I have been in Congress, this is the biggest test of our ability to make Government work for the people. I pray we succeed.

CONGRATULATIONS TO MISS AMERICA, MS. KIMBERLY CLARICE AIKEN

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

Mr. CLYBURN. Mr. Speaker, I rise today to congratulate Ms. Kimberly Clarice Aiken on being crowned Miss America this past Saturday night. Kimberly is the first African-American from the South to win this coveted title.

Just over 2 months ago, Kimberly made history as the first African-American to be crowned Miss South Carolina.

Since that time and in the few days of her reign as Miss America, Kimberly has established herself as a sophisticated and diplomatic spokesperson for all Americans.

During her reign as Miss Columbia, Kimberly founded a nonprofit organization which provides services for the homeless and, as Miss America, she plans to raise public awareness about the plight of the homeless in the United States.

As a South Carolinian, I am beaming with pride and congratulate Kimberly and her family—Charles and Valerie, her mother and father, her aunt Debra a former employee of mine and Charles, Sr., and Violet, her grandparents, both of whom are constituents of mine. This is an outstanding and deserving honor, and I am sure Kimberly Clarice Aiken will bring honor to the Miss America crown and represent all of us well.

BLACK MARKET MEDICINE

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

Mr. WALKER. Mr. Speaker, while Republicans agree with the President about some aspects of health care reform, his proposed plan is fraught with problems. For example, we are about to witness the rise of an American black market, if the President's plan is adopted.

Unlike the black markets in formerly Communist Eastern Europe, this

one will not deal in blue jeans, rock music, or dollar bills. It will deal in health care services. Once the administration adopts whatever form of rationing it deems necessary to control costs, a new market for underground medical procedures will spring up. Soon the back alleys liberals are so fond of talking about will be full of people wanting hernia, heart bypass, and cataract operations.

The fundamental problem with the President's plan is, it believes 511 people with advanced degrees, in about everything except medicine, can totally redesign one-seventh of our economy. Central planning has failed from Moscow to Managua, and it will fail American health care consumers as well.

We do not need a government-run health care program. We do not need black market medicine. What we need is affordable health care now.

TIME FOR HEALTH CARE REFORM

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

Mr. KREIDLER. Mr. Speaker, tomorrow, President Clinton will propose his plan to reform our health care system, and we will begin a historic debate.

As we debate, let us remember several principles:

First: We have to reform this system.

If we do nothing, more families will go bankrupt from medical costs.

More businesses will drop workers from coverage, and our Nation will sink deeper into a hopeless pit of debt.

Second: Everyone wins with reform. The President's plan will cover everyone, and it will control the cost of health care for everyone. That is what we call health security.

Third: We have the best medical care in the world, and that is not going to change. People will still choose their doctor and they will still get high quality care.

In fact, managed care can improve the quality of care. I worked in a managed care system for 20 years, and I know it is the best way to provide the preventive care people need.

In America today, health security ought to be a right of every child, every senior, and every family.

Every other industrialized country in the world has found a way to protect that right. We can, too.

□ 1320

CLINTON TO FORCE TAXPAYERS, WORKERS, TO FUND EVERY ABORTION IN USA

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

Mr. SMITH of New Jersey. Mr. Speaker, the President's proposal to include abortion on demand as a mandated benefit in his national health insurance plan is extreme, radical, and completely out of the mainstream of American thought and opinion.

According to Michael Kramer in this week's *Time* magazine, White House pollster Stan Greenberg admits, that most people, and I quote, "abhor the act and are opposed to using tax dollars for abortions."

Rather than nurture and protect human life, the administration is asking taxpayers to facilitate and subsidize the violent deaths of millions of unborn babies.

The President's plan treats pregnancy as a disease or illness and unborn children like tumors or warts to be expunged and discarded. This flies in the face of the purpose of health care reform—protecting the weak, the vulnerable—and the sick.

In a word, the Clinton provision is antichild and will lead to many, many more babies dying painful deaths and will subjugate their mothers to a myriad of health risks.

This proposal will force every American—every taxpayer, every employer, every workingman, and every workingwoman to be a party to the chemical poisoning or dismemberment of innocent children. Under the Clinton plan an unborn child at any age of gestation—fourth, fifth, or sixth month of pregnancy; right up until birth—will be vulnerable to the abuse of abortion. And Mr. Clinton wants to force the American people to pay.

Very few of these abortions have anything to do with life of the mother or other hard case circumstances. The Alan Guttmacher Institute, a research affiliate of Planned Parenthood, conducted a survey in 1987 in which they asked women to identify the reasons they had abortions. A very small percentage were related to these hard case situations or even physical health. Other surveys suggest that abortions are increasingly used as a method of birth control. The Clinton plan forces every American taxpayer, every workingperson to pay for abortions.

Representatives of proabortion groups and the administration have advanced the misleading argument that the President's proposal represents the status quo. Nothing could be further from the truth.

A 1993 report published by the Alan Guttmacher Institute states that abortion is often described as elective by the insurance industry and, therefore, excluded from coverage. This acknowledgment does not fit in with the current game plan of the proabortion coalition. Therefore, using a mutually agreed upon script, they are presenting themselves as the defenders of the status quo. It is noteworthy that the president of Planned Parenthood, when

speaking to her own people on July 12, described the upcoming consideration of national health insurance as "a watershed event just as significant, just as vital, as the Supreme Court's decision on *Roe versus Wade*." She went on to label it "the 'defining moment' for reproductive rights in America."

David Gergen, now a top adviser to the President, put the issue in stark terms when he wrote an article on this subject for *U.S. News & World Report* earlier this year, April 19. "Apparently abortion is to be treated as a routine medical procedure easily available to all—no questions, no costs, no issues of morality or personal responsibility. This will make abortions 'rare'?"

Mr. Gergen acknowledged that the Clinton plan opens the flood gates to universal abortion on demand, funded by taxpayers. Gergen adds "what we need, then, are policies that show compassion toward women as well as a high ethical regard toward unborn children. We stand in danger of having neither." Mr. Gergen is right.

H.R. 3, THE COMPREHENSIVE SOLUTION TO CAMPAIGN FINANCE REFORM

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

Mr. FARR of California. Mr. Speaker, today, I am cosponsoring campaign finance reform legislation that will go a long way in restoring public confidence and fairness in our electoral system. This legislation is designed to put us on the right track for cleaning up the financing of congressional campaigns giving voters a real say in the legislative process and providing all candidates equal access to the electoral system.

This legislation establishes a voluntary system of campaign spending limits for congressional candidates provides for matching funds to House candidates who agree to spending limits, reduces the influence of special interest lobbyists, prohibits use of so-called soft money for any activity solely to benefit a Federal candidate, and increases disclosure of information to and by the FEC.

During my campaign, I pledged to actively work for serious campaign reform. Common Cause, a leader for many years in the area of campaign reform, has said that the key to reform is making public campaign resources available to candidates who agree to spending limits. Voters see Washington as a place where influential people with a lot of money get special treatment. Providing matching funds in elections would significantly reduce the perceived influence of special interests in the electoral process, and level the playing field between incumbents and challengers.

This bill is similar to legislation that the House and Senate passed last year,

but was vetoed by President Bush. Furthermore, this legislation incorporates many of the proposals outlined by the House freshmen Democratic class on March 31, 1993.

Mr. Speaker, I am proud to join you and other colleagues in the House in supporting comprehensive campaign reform legislation that restores integrity and confidence in our electoral system.

LISA OUSLEY-O'CAIN AND THE AMERICAN DREAM

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

Mr. STEARNS. Mr. Speaker, I would like to take a moment to talk about an American success story in Jacksonville, FL.

Ms. Lisa Ousley-O'Cain is a divorced mother who has suffered more than her share of setbacks in recent years. She has moved back and forth between Jacksonville and Chicago several times looking for stability and a better way of life.

In between, she has found herself out of work, and without a home on two different occasions. With the help of her local community college, caring, involved social workers and, most importantly of all, her faith, she has risen above her difficult circumstances and built a new life.

Last month, Ms. Ousley-O'Cain saw the culmination of a dream when she opened her own day care center in Northside Jacksonville. The center will provide day care services to 23 young people this fall, and I'm sure those children will learn lessons about resilience and personal strength from Lisa.

If a homeless woman can do everything necessary to make the dream of owning her own small business a reality, a vitally needed day care facility, it's a reminder that we should never give up on ourselves or others.

Lisa Ousley-O'Cain, I congratulate you on opening the God's Promise daycare center and wish you many years of success.

LET'S PASS NAFTA

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

Mr. RAMSTAD. Mr. Speaker, I applaud President Clinton's commitment to work in a bipartisan, principled way on NAFTA.

The President clearly understands the export growth and job creation NAFTA will yield—200,000 new jobs by 1995.

Existing trade barriers make exporting United States goods to Mexico difficult or impossible, forcing United States companies to move to Mexico to

take advantage of the vast markets there.

Under NAFTA, products made by American workers in America can be sold in Mexico, boosting exports and creating jobs.

The Mexican demand for United States goods is already impressive—the average Mexican purchases 477 dollars' worth of our goods, while the average Japanese buys only \$385.

Mr. Speaker, I commend the President for his commitment to passing NAFTA, and I strongly urge all my colleagues to put principle above politics and support this job-creating trade pact. Let's pass NAFTA.

FREE-TRADE TRIAL RUN SHOWS NAFTA IS A JOB CREATOR

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

Mr. BARTON of Texas. Mr. Speaker, every Congressman is pro-job creation. So anytime Congress can create more than 200,000 jobs with one vote, you would expect the vote to be unanimous. The North American Free-Trade Agreement will create at least that many jobs, and we should pass it.

Look at the experience of our free trade trial run with Mexico. Since Mexico began to open its markets in 1986, American exports to Mexico have tripled. American jobs directly tied to those exports ballooned from 274,000 to 700,000. Since an export-related job sustains two in supporting industries, Mexico already supports over 2 million American jobs. Passing NAFTA will greatly increase that figure, since Mexican tariffs are still 2½ times larger than American tariffs, and NAFTA reduces those tariffs to zero over a 15-year period.

If you want to create American jobs, vote for NAFTA. As George Bush, chief architect of NAFTA, said at the White House last week, "The biggest gain in NAFTA is the good 'ole U.S.A."

RAISING CIGARETTE TAXES TO PAY FOR HEALTH CARE

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

Mr. BALLENGER. Mr. Speaker, President Clinton will come before the Congress tomorrow and announce his health care plan to the Nation. It has been widely reported that the President will propose a quadruple increase in the Federal tax on cigarettes, from the current 24 cents to \$1, to help pay for his proposal.

As a Representative from a State whose economy is heavily dependent on tobacco, this increase could do serious harm and could cost tens of thousands of North Carolinians their jobs. A Price

Waterhouse study shows that of the 85,000 North Carolinians that have jobs in tobacco growing and manufacturing, over 20,000 could lose their jobs if the tax on cigarettes is increased significantly.

This sobering assessment comes on top of the announcement of recent layoffs of around 1,000 white collar personnel by R.J. Reynolds, most of which would affect workers in Winston-Salem, NC, an area I represent along with my colleague, Representative STEVE NEAL.

I call on Representative NEAL and the other members of the North Carolina delegation to go on record and announce their opposition to any increase in the Federal tax on cigarettes. Let us keep North Carolinians in the tobacco industry employed and keep North Carolina's economy strong and growing. Let us not needlessly sacrifice our constituents on Bill and Hillary's health care altar.

The Republicans have a health care alternative that does not raise taxes on cigarettes; in fact, it does not raise taxes at all.

□ 1330

CONGRATULATIONS TO LAKE LYTAL COUGARS OF FLORIDA

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

Mr. LEWIS of Florida. Mr. Speaker, it gives me great pleasure to congratulate 17 young ladies from Palm Beach County, FL, the Lake Lytal Cougars, who, through hard work and dedication, achieved their "field of dreams" by winning the 12 and under Amateur Softball Association World Series on Sunday, August 15, 1993, by defeating O.C. Waters of Alabama 19-8 in the final game at the Seminole Sports Complex in Orlando, FL.

These young ladies, with the assistance of their families, coaches, and their communities, started their drive for excellence in June when they won the Fort Lauderdale National Qualifier. The road was long and hard. Next, they won the Gainesville National Qualifier, and by the end of July had won six tournaments in various cities in Florida. The team's record for the year was a phenomenal 59 wins and 9 losses.

Shortstop Jennifer Mossadeghi, who batted .825 in the National Tournament, led the Cougars for the season with a .663 batting average, 27 doubles, 12 triples, and 12 homeruns. Penny Thompson, who played second base, had a .548 batting average, with 23 doubles and 111 RBI's. Jennifer Ruddock, who played third base, had a .543 batting average, with 21 doubles; and Jennifer Stump had a .546 batting average with 11 homeruns. Julie Corbitt was

the top pitcher with 40 wins and 7 losses.

The Cougar's manager, Gary Fitzpatrick and his coaches should be congratulated for volunteering their time and efforts to help young people in the community achieve success in their young lives and to learn that hard work, teamwork, and preparation in life will lead to fruitful achievements.

The Cougars team members included: Amanda Adeimy, Stephanie Bahr, Katie Carvajal, Melissa Cawood, Julie Corbitt, Rogin Kennedy, Kerri Kerr-West, Jennifer King, Monica Lara, Keri LaFever, Jessica Moore, Jennifer Mossadeghi, Jennifer Olds, Jennifer Rudock, Valerie Seminerio, Jennifer Stump, and Penny Thompson.

The coaches included: Jim Cawood, Mary Ann Kerr, Greg LaFever, William Olds, Ferrell Taliaferro, and Barry Thompson. The "team Mom" was Kay Thompson.

Congratulations, Cougars.

A "NEW" NEW DEAL

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

Mr. BACHUS of Alabama. Mr. Speaker, I say to the gentleman from Florida [Mr. LEWIS] that it is indeed a rare occasion when a team from Florida beats a team from Alabama. I am glad that the gentleman got this almost once-in-a-lifetime opportunity.

Mr. Speaker, The President will unveil his health care reform plan tomorrow.

This plan as previewed will represent the largest expansion of Government spending since the New Deal. But the Clinton deal is a raw deal for the American people.

His National Health Board will serve as a Politburo for health care, determining what each American receives in care and deciding what each American contributes in taxes.

His State and regional health alliances will create over 100 new bureaucracies, subjecting all Americans who work in companies with less than 5,000 employees to forced participation.

Mr. Speaker, the American people do not want a "new" New Deal. They want a plan to lower their costs increase their participation in and maintain the quality of their current system. In short, they want a plan like the House Republican "Affordable Health Care Now" legislation.

IN SUPPORT OF NAFTA

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

Mr. SKEEN. Mr. Speaker, I am here today to talk about NAFTA, supporting that idea. I cannot believe that the

people of the United States have got this dugout mentality about foreign trade. We are talking day by day about "buy American;" well, many foreign nations, including Mexico, are "buying American," United States of America American. Fifty-eight to sixty percent of everything Mexico imports comes from the United States, and that means a lot of jobs here. Those jobs are not going to go off to Mexico. They could have gone a long time ago.

We talk about reinventing Government; we do not need to reinvent Government; we have way too much already. Let us redinvest ourselves of Government, and let's reinvest in business in the United States.

What are we afraid of? It beats the heck out of me that because we can compete against anybody and we can compete with anybody because we can outproduce anybody with the greatest technologists and the greatest producers anywhere on this Earth.

So let us quit worrying about these agreements, let us get these tariffs down so that we can get on an equal footing with these countries and sell American, sell American goods.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken at the end of legislative business today.

VETERANS HOME LOAN AND STATE VETERANS CEMETERY IMPROVEMENTS ACT OF 1993

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 949) to amend title 38, United States Code, to increase the amount of the loan guaranty for loans for the purchase or construction of homes, as amended.

The Clerk read as follows:

H.R. 949

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

SECTION A. INCREASE IN AMOUNT OF LOAN GUARANTY FOR LOANS FOR THE PURCHASE OR CONSTRUCTION OF HOMES.

Subparagraphs (A)(i)(IV) and (B) of section 3703(a)(1) of title 38, United States Code, are each amended by striking out "\$46,000" and inserting in lieu thereof "\$50,750".

SEC. 2. MORTGAGE PAYMENT ASSISTANCE TO AVOID FORECLOSURE OF HOME LOANS GUARANTEED UNDER TITLE 38.

(a) IN GENERAL.—(1) Chapter 37 of title 38, United States Code, is amended by inserting after section 3714 the following new section:

"§3715. Loans to refinance delinquent indebtedness

"(a)(1) The Secretary may, at the Secretary's option, provide assistance to a veteran under this section for the purpose of avoiding the foreclosure of a housing loan made to that veteran and guaranteed by the Secretary under section 3710 or 3712 of this title (hereinafter in this section referred to as a 'primary loan').

"(2) Assistance under this section shall be in the form of a loan to the veteran. Such assistance may be provided only if—

"(A) the dwelling that secures the primary loan is the current residence of the veteran and is occupied by the veteran as the veteran's home;

"(B) the veteran is delinquent in payments on that primary loan and the holder has submitted the notice of default as required by section 3732(a)(2) and is unwilling to grant forbearance;

"(C) the veteran has lost employment or has encountered circumstances beyond his control which affect his ability to maintain mortgage payments; and

"(D) the Secretary determines that there is a reasonable prospect that the veteran will be able to resume payment on the primary loan within six months after receiving assistance under this section.

"(3) For the purposes of this section, the term 'veteran' includes the surviving spouse of a veteran if the surviving spouse was a co-obligor of the primary loan.

"(b)(1) A loan under this section shall be advanced to the holder of the primary loan. The amount of the loan under this subsection shall first be applied to the amount delinquent on the loan guaranteed under this chapter including any amount delinquent on taxes, assessments, hazard insurance, and late charges required by the holder to be included in the veteran's monthly payment on the mortgage. Any remaining amount of such loan shall be retained by the holder and shall be applied to future payments, including taxes, assessments, and hazard insurance, due on the loan and unpaid (in whole or in part) on the date the payment becomes due.

"(2) The Secretary may make more than one loan under this section to a veteran. The total amount of loans under this section to any veteran may not exceed \$10,000.

"(c) A loan under this section—

"(1) shall bear no interest until the date on which payments on the primary loan (including amounts for taxes, assessments, hazard insurance, and late charges required by the holder to be included in the veteran's monthly payment on the mortgage) are current, and thereafter shall bear interest at a rate determined by the Secretary;

"(2) shall be secured by a lien on the property securing the primary loan and by such other security as the Secretary may require; and

"(3) shall be subject to such additional terms and conditions as the Secretary may require.

"(d) As a condition of receiving a loan under this section the veteran shall execute an agreement, in such form as the Secretary may prescribe, to repay the loan within a reasonable period of time, as determined by the Secretary, not to exceed 15 years from the date on which such loan is made. If the Secretary determines that the veteran has sufficient income or other resources to do so, the Secretary may require the veteran to make partial payments on the primary loan guaranteed under this chapter during the period the holder of that loan is applying the amount of the loan under this section to payments becoming due on the primary loan.

"(e) Notwithstanding any other law, the Secretary may employ attorneys to bring suit to collect any amount of a loan under this section on which the veteran to whom the loan is made is in default.

"(f) The Secretary's decisions on any question of law or fact regarding assistance under this section, including whether or not to grant such assistance and the terms and conditions under which such assistance is granted or not granted, shall be final and conclusive, and no other official or any court of the United States shall have power or jurisdiction to review any such decision by an action in the nature of mandamus or otherwise.

"(g) A loan under this section shall be made from the fund established under section 3724 or 3725 of this title that is available with respect to the primary loan in connection with which the loan is made under this section."

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3714 the following new item:

"3715. Loans to refinance delinquent indebtedness."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect at the end of the 60-day period beginning on the date of the enactment of this Act.

SEC. 3. FINANCING OF DISCOUNT POINTS.

Section 3703(c)(4)(B) of title 38, United States Code, is amended in the second sentence by striking out "Discount" and inserting in lieu thereof "Except in the case of a loan for the purpose specified in section 3710(a)(8), 3710(b)(7), or section 3712(a)(1)(F) of this title, discount".

SEC. 4. RATE ADJUSTMENTS FOR ADJUSTABLE RATE MORTGAGES.

Section 3707(b)(2) of title 38, United States Code, is amended by striking out "on the anniversary of the date on which the loan was closed".

SEC. 5. CEMETERY PLOT ALLOWANCE FOR VETERANS ELIGIBLE FOR BURIAL IN A NATIONAL CEMETERY BUT INTERRED IN A STATE VETERANS CEMETERY.

Section 2303 of title 38, United States Code, is amended by adding at the end thereof the following:

"(c) In addition to the benefits provided for under section 2302 of this title and subsection (a) of this section, in the case of a veteran who—

"(1) is eligible for burial in a national cemetery under section 2402 of this title, and

"(2) is buried (without charge for the cost of a plot or interment) in a cemetery, or a section of a cemetery, that (A) is used solely for the interment of persons eligible for burial in a national cemetery, and (B) is owned by a State or by an agency or political subdivision of a State, the Secretary shall pay to such State, agency, or political subdivision the sum of \$150 as a plot or interment allowance for such veteran."

SEC. 6. INCREASE IN FEDERAL AID TO STATES VETERANS' CEMETERIES.

Paragraphs (1) and (2) of section 2408(b) are each amended by striking out "50 percent" and inserting in lieu thereof "65 percent".

SEC. 7. EXTENSION OF AUTHORIZATION OF AP- PROPRIATIONS FOR STATE CEME- TERY GRANT PROGRAM.

Paragraph (2) of section 2408(a) of title 38, United States Code, is amended by striking out "nine" and inserting in lieu thereof "fourteen".

SEC. 8. REMOVAL OF FUNDING REQUIREMENT OF HOMELESS VETERANS COMPREHENSIVE SERVICE PROGRAMS ACT OF 1992.

Section 12 of the Homeless Veterans Comprehensive Service Programs Act of 1992 (38 U.S.C. 7721 note) is amended by striking out the second sentence.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi [Mr. MONTGOMERY] will be

recognized for 20 minutes, and the gentleman from Arizona [Mr. STUMP] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

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

GENERAL LEAVE

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 949, the bill presently under consideration.

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

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, H.R. 949, as amended, contains several provisions that would enhance the VA Home Loan Program for veterans. Among other things, it would raise the guarantee amount paid by the VA to lending institutions who make VA loans to veterans.

In addition, the bill would authorize the Secretary of Veterans Affairs to provide assistance to veterans who are having difficulty making payments on their home loans because of temporary unemployment.

In just a few moments, I will yield to the distinguished chairman of our Subcommittee on Housing and Memorial Affairs, GEORGE SANGMEISTER, for a more detailed explanation of the bill. Before doing so, I want to commend the gentleman from Illinois and the ranking minority member of the subcommittee, DAN BURTON of Indiana, for their work on the bill and for their concern for veterans who will benefit from the enactment of this legislation.

The VA Home Loan Program has received a lot of attention during the past several years and veterans continue to benefit as a result of the work of these two Members and other Members who serve on the subcommittee.

I also want to thank my good friend and colleague, the very able ranking minority member of the full committee, BOB STUMP, for his leadership and support.

Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Illinois [Mr. SANGMEISTER].

Mr. SANGMEISTER. Mr. Speaker, I would like to thank and commend the gentleman from Mississippi [Mr. MONTGOMERY], the chairman of the full committee for his distinguished leadership and his strong support of this measure. I would also like to thank the gentleman from Arizona [Mr. STUMP] and the gentleman from Indiana [Mr. BURTON], the ranking minority members of the full committee and the subcommittee for their efforts and support. The individual members of the subcommittee have worked hard as a team to develop this legislation, and I would like to thank each of them for their excellent contributions.

INCREASE IN LOAN GUARANTY

Mr. Speaker, the bill would increase the maximum loan guaranty from \$46,000 to \$50,750. This change in guaranty will increase no-downpayment VA guaranteed home loan limits from \$184,000 to \$203,000. Under the current formula, VA guarantees 25 percent of loans over \$144,000.

Current lending practices generally allow a veteran to purchase a home without a downpayment for up to four times the amount of the maximum VA guaranty. The guaranty maximum of \$46,000 thus allows a veteran to buy a house worth up to \$184,000 with no downpayment.

Housing prices in certain parts of the country prevent many veterans from buying a home without a downpayment. For example, according to data compiled by the National Association of Realtors, the median sales price of an existing single-family home during calendar year 1992 was \$171,100 in Boston; \$172,700 in the New York area but \$187,600 in Bergen County, NJ; \$213,200 in Los Angeles; \$234,900 in Orange County, CA; \$254,800 in San Francisco; and \$349,000 in Honolulu. Thus, home loan guaranty purchasers in areas such as these must make significant downpayments, usually 25 percent of the amount that the purchase price exceeds \$184,000, in order to acquire a median-priced home.

The proposed increase in the guaranty would enable many veterans to purchase a home of their choice without a downpayment, which would otherwise be unavailable to them. The higher loan amounts will also produce greater revenues to VA through the loan fee.

On January 1, 1993, the Federal National Mortgage Association—Fannie Mae—and the Federal Home Loan Mortgage Corporation—Freddie Mac—increased the limit to \$203,150 on single-family conventional mortgages in which the companies invest.

In the past, the Government National Mortgage Association—Ginnie Mae—has increased the loan limit when VA has increased the amount of its guaranty. The bill takes into account fluctuations in the economy and real estate market and provides parity with the conventional loan market.

MORTGAGE FORECLOSURE ASSISTANCE

Mr. Speaker, the bill would authorize monetary assistance by VA to veterans who are, or have recently been, either unemployed or underemployed and as a result fallen behind in their mortgage payments. Information obtained during hearings in the last three Congresses as well as a review of GAO reports reveals that prompt personal servicing efforts by the Department and lenders can help prevent foreclosure of some VA-guaranteed home loans. However, there are times when more than just personal attention is needed.

The bill would authorize one loan or a series of loans not to exceed a total

of \$10,000. The loan would be disbursed directly by the Department to the holder of the mortgage loan. The holder would be responsible to assure that the veteran's obligation to repay the assistance is secured by a lien of record. The assistance may be applied against the veteran's mortgage obligation as either payment in full for a monthly installment, or, if supplemented by cash from the veteran's own resources, as partial payment of the monthly installment.

Repayment of the loan must be made within a reasonable amount of time, as determined by the Secretary, but could not exceed 15 years. The bill would authorize the Department to require the veteran to make partial payments when the veteran's income and other financial resources indicate that the veteran can afford to do so. In addition, VA may establish initially or as a result of changed circumstances that a sum less than the \$10,000 statutory limit is the maximum amount of assistance available to any particular veteran.

Mr. Speaker, this mortgage foreclosure assistance provision actually saves money. It does so, according to CBO, because it would prevent the foreclosure of about 40 percent of the 500 cases in which CBO assumed these mortgage assistance loans would be made under the new program. Whenever a foreclosure is avoided, there are substantial savings to VA. Thus, even if the VA ultimately was unable to collect the \$10,000 loan authorized by this provision in 60 percent of the cases, the VA loan program—and the taxpayer—would still be ahead because of the 40 percent of the cases in which the default was ultimately cured. It is not intended that assistance be provided to every veteran who may default on a VA-guaranteed loan. Thus, assistance under the program is limited by statutory language to cases in which; First, a veteran is still residing in the home which secures the defaulted loan, second, the veteran has lost employment or has encountered circumstances beyond his or her control which affect his ability to maintain mortgage payments, and third, the Secretary has determined that there is a reasonable prospect that the veteran will be able to resume payment on the primary loan within 6 months after receiving assistance under this new provision.

When the VA home loan program was first established, the Congress decided that the Secretary of Veterans Affairs—then the Administrator—could sue and be sued in connection with his administration of the program. Thus, veterans have always had access to the courts with respect to decisions affecting their VA home loan. Decisions—other than decisions involving a request for waiver of indebtedness—subsequent to an initial decision that a veteran is or is not eligible for the program are not reviewed by the Board of

Veterans' Appeals. This is in contrast to VA decisions to grant disability and other types of monetary assistance which, until 1988, were subject to a final review by the Board of Veterans' Appeals. However, in 1988, the committee reported landmark legislation which made most VA decisions affecting benefits subject to review by a newly established Court of Veterans Appeals.

Although it is theoretically possible for the agency to receive a claim for benefits and decide it within a matter of weeks, the volume of claims and the need to develop information concerning the individual claim of a veteran has led to a situation in which a typical claim for disability benefits takes anywhere from 4 to 8 months to decide initially. If a veteran is dissatisfied with this decision, there is a clearly established procedure to appeal this decision to the Board of Veterans' Appeals. However, because there is no disincentive to appealing a VA decision which is unfavorable to the veteran's contentions, the volume of appeals pending before the Board at any one time makes it unlikely that a veteran will obtain a final decision by the Board of Veterans' Appeals in less than 1 year.

As a result of the lengthy of time that the agency may take to ultimately deny or allow a claim for benefits, the subcommittee recommended legislation, as it has in the previous two Congresses, which would make the Secretary's decision whether to grant this foreclosure assistance final, without any review by the Court of Veterans Appeals. During committee consideration of this legislation, an amendment was offered to strike the language making the Secretary's decision final. The committee debated this amendment for an extended period. The view was expressed by several members that allowing judicial review would delay foreclosure proceedings in the vast majority of cases where assistance under the new program was not intended to be made available. Since the VA is liable for a lender's losses up to the maximum amount of the guaranty, delays of this nature would increase the cost of foreclosures to the lender and the VA significantly. In fact, CBO was requested to furnish an estimate of the cost of the bill if this no-review language was stricken. CBO responded that striking the no-review language would conservatively cost in excess of \$100 million per year.

Arguments have been advanced and refuted that other government loan programs make assistance of this kind available and allow judicial review of denials of assistance. However, because of the manner in which other Federal housing loan programs are structured, I believe the mortgage foreclosure assistance proposed by this legislation is unique and has no parallel in other programs.

The possibility of long-delayed foreclosures was also cited as a reason to maintain the bar on judicial review. As one member of the committee pointed out, lender willingness to make loans to veterans is the key to the success of the VA Home Loan Program. In his view, if a lender were to learn that a VA guaranteed loan could not be foreclosed until a final judicial decision had been reached on an application for the mortgage foreclosure assistance contemplated by the committee bill, lenders would be extremely reluctant to make VA-guaranteed loans.

Thus, I want to make it clear that the committee's action in reporting the bill with this language intact had no relation to the views of this committee member, or other committee members, on the general desirability of judicial review of VA decisions. It was a desire to enhance an existing VA program by providing additional foreclosure-cure options, and to insure that the housing guaranty benefit would be available to veterans in the future, that convinced the committee that in this particular case, the cost and delay of providing judicial review would defeat the purpose of the assistance which the legislation was intended to make available.

IMPROVEMENTS TO THE STATE CEMETERY GRANTS PROGRAM

Mr. Speaker, the bill would authorize payment of the current \$150 plot allowance to the State for any veteran interred in a State veterans cemetery, who otherwise is eligible for burial in a national cemetery. The one-time payment would help defray the cost of initial interment, cemetery maintenance and overall operations.

The Department of Veterans Affairs State Cemetery Grants Program complements national cemeteries by providing a cost-effective alternative to those cemeteries maintained and operated by the Federal Government. The program assists States by providing a 50-percent share of the cost of establishing, expanding or improving State veterans' cemeteries. Established in 1978, by Public Law 95-476, more than 70 grants totaling more than \$33 million have been awarded to 17 States and the Territory of Guam.

When the grant program began in 1978, the \$150 plot allowance was payable for any veteran interred in a State veterans cemetery. Congressional Action in 1990, Public Law 101-508, restricted payment of the \$150 plot allowance to those receiving disability benefits and changed the interpretation of service qualifying for receipt of the plot allowance to States. The terms "current eligibility standards" equate to requiring wartime service or in receipt of disability benefits. Therefore, by statute, the States do not receive the \$150 plot allowance for veterans having only peacetime service, even though peacetime veter-

ans are eligible for burial in a national cemetery.

With the limitation on payment of the plot allowance, several States have indicated that they may begin to restrict burial in State veterans cemeteries to wartime veterans. Others have explored the option of charging a user fee for the burial of veterans not eligible to receive the current \$150 plot allowance.

I believe the State Cemetery Grants Program is an effective complement to the National Cemetery System. I strongly support VA outreach efforts to increase States' participation in the grant program. Participation serves the burial needs of veterans and provides veterans cemeteries in areas not served by national cemeteries.

In recognition of the above, the bill would enhance the program by increasing the current Federal share from 50 to 65 percent of the total grant. This would concurrently reduce the States' share from 50 to 35 percent. The 65 to 35 ratio would also parallel the amount of aid available in VA's other State grant program—aid to States for State home facilities for furnishing domiciliary, nursing home, and hospital care.

In the 15 years since inception, it has been increasingly difficult for States to fund 50 percent of the cost of establishing veterans cemeteries. I understand that State legislatures have considered and rejected funding the program at a 50-50 share split. I hope by increasing the Federal share from 50 to 65 percent of the total cost that States will be more willing to fund the lesser 35 percent share.

Lastly, the bill would also extend authority for the State Cemetery Grants Program from September 30, 1994 to September 30, 1999.

Mr. Speaker, our Nation, indeed all freedom loving people, depend upon the strength and presence of our military forces to ensure the security, stability, and prosperity that we enjoy as Americans and which we hope to pass to future generations. The valiant men and women of our Armed Forces, those who currently serve and those who previously served, look to us to provide the opportunity for them to share the American ideal of home ownership, to help prevent the fear of loss of their homes, and to ensure the availability of a final resting place when their struggles end. This bill will accomplish these goals while actually saving the Government money, \$2 million the first year and \$14 million over 5 years. I urge you to join with me in favorable consideration of this measure.

□ 1340

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

Mr. Speaker, I rise in support of H.R. 949, the Veterans Home Loan Program and National Cemetery System Improvements Act of 1993. The bill will increase the Department of Veterans Affairs Home Loan Guaranty to bring the

program in line with the existing marketplace.

The bill also provides for monetary assistance to veterans who have fallen behind in their mortgage payments, thereby giving the VA another tool to help veterans avoid foreclosures.

In addition, the bill extends the \$150 plot allowance to States for any veteran interred in a State cemetery who is otherwise eligible for burial in a national cemetery. This will enhance the State Cemetery Grants Program.

Mr. Speaker, prior to enactment of the Budget Reconciliation Act of 1993, the Congressional Budget Office anticipated a direct annual cost of \$5 million under this bill. As a result, however, of changes in the VA loan origination fee enacted under the reconciliation bill, CBO has revised its cost estimate and now reports reduced outlays of \$2 million in 1994 and \$3 million annually in 1995 through 1998.

I wish to commend the gentleman from Illinois [Mr. SANGMEISTER], chairman of the Subcommittee on Housing and Memorial Affairs, and the gentleman from Indiana [Mr. BURTON] the subcommittee's ranking member for their tireless work on this legislation.

Mr. Speaker, I also wish to thank the gentleman from Mississippi [Mr. MONTGOMERY], chairman of the Veterans' Affairs Committee, for his timely action on this bill.

I recommend that H.R. 949 be passed. The mortgage assistance provided in this bill will add another option to the Department of Veterans Affairs overall array of mortgage assistance tools—and, the change in the mortgage guarantee will make the program more market responsive.

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

Mr. MONTGOMERY. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, when H.R. 949 was reported to the House on August 6, the Congressional Budget Office estimated that there would be direct spending costs of \$5 million per year. I want to assure my colleagues that with the enactment of the Budget Reconciliation Act, CBO now advises the committee that the bill would actually reduce direct spending by \$2 million in 1994 and by \$3 million in 1995 and subsequent years.

I include the latest CBO cost estimate in the RECORD at this point, and I urge my colleagues to support the bill.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 31, 1993.

Hon. G.V. MONTGOMERY,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed revised cost estimate for H.R. 949, the Veterans Home Loan and State Veterans Cemetery Improvements Act of 1993, which reflects changes made by the enactment of Public

Law 103-66, the Omnibus Budget Reconciliation Act of 1993. Prior to the enactment of P.L. 103-66, H.R. 949 was estimated to increase direct spending outlays by \$5 million a year in 1994-1996 and by \$6 million in 1998. As a result of certain reconciliation changes, we now expect H.R. 949 to reduce outlays by \$2 million in 1994 and \$3 million annually in 1995-1998.

The bill would still affect direct spending and thus would be subject to pay-as-you-go procedures under section 252 of the Balanced Budget and Emergency Deficit Control Act.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER,
Director.

CONGRESSIONAL BUDGET OFFICE COST
ESTIMATE—AUGUST 31, 1993

1. Bill number: H.R. 949.
2. Bill title: Veterans Home Loan and State Veterans Cemetery Improvements Act of 1993.
3. Bill status: As ordered reported by the House Committee on Veterans' Affairs on July 27, 1993.
4. Bill purpose: To improve the Department of Veterans Affairs (VA) home loan guaranty program and for other purposes.
5. Estimated cost to the Federal Government:

(By fiscal years, in millions of dollars)

	1994	1995	1996	1997	1998
Direct spending:					
Estimated budget authority	-2	-3	-3	-3	-3
Estimated outlays	-2	-3	-3	-3	-3
Authorization of appropriations:					
Estimated authorization of ap- propriations	1	6	7	7	8
Estimated outlays	0	0	1	2	4

Basis of estimate: The following section-by-section cost analysis addresses only those sections of the bill that could be expected to result in a significant budgetary impact.

Section 1. This section would increase the maximum amount of a guaranty under the VA home loan program from \$46,000 to \$50,750. Because most lenders will accept the VA guaranty in lieu of a down payment for mortgages with a principal of up to four times the guaranty amount, this change would enable veterans to obtain no-down-payment loans of up to \$203,000.

(By fiscal years, in millions of dollars)

	1994	1995	1996	1997	1998
Estimated budget authority	-2	-3	-3	-3	-3
Estimated outlays	-2	-3	-3	-3	-3

Based on a distribution by loan value of loans closed in 1992, it was estimated that between 5,000-6,000 new loans would be made under the higher guaranty ceiling. The new loans were estimated to have an average principal of \$193,000 in 1994, rising to \$211,000 by 1998 and would be expected to have the same negative subsidy rate as loans guaranteed under current law. The anticipated negative subsidy rate for VA-guaranteed loans results from the fact that VA loan origination fees, recently increased by Public Law 103-66 (the Omnibus Budget Reconciliation Act of 1993), bring in an amount of income from a cohort of loans that is greater than the estimated cost of defaults from the cohort.

Section 2. This section would authorize VA to establish a program of special loans to assist veterans whose VA-guaranteed loans are in default in avoiding foreclosure. To be eligible for the program, a veteran would have

to be at least six months delinquent on the payments on the guaranteed loan. The veteran would also have to have suffered a substantial reduction in income through lost employment or other cause beyond his control and be able to demonstrate a reasonable prospect of resuming payment on the guaranteed loan with six months of receiving an assistance loan. The maximum loan made under this program would be limited to \$10,000 with a maximum term of 15 years. The assistance loans would not begin accruing interest until all payments on the guaranteed loan are current.

(By fiscal years, in millions of dollars)

	1994	1995	1996	1997	1998
Subsidy cost of new loans:					
Estimated Budget Authority	3	3	3	3	3
Estimated Outlays	3	3	3	3	3
Savings in default costs:					
Estimated Budget Authority	-4	-4	-4	-4	-4
Estimated Outlays	-4	-4	-4	-4	-4
Net impact:					
Estimated Budget Authority	-1	-1	-1	-1	-1
Estimated Outlays	-1	-1	-1	-1	-1

The VA currently has a program to assist veterans with VA-guaranteed loans at risk of foreclosure, under which VA buys the delinquent loan from the lender and restructures the loan or offers additional forbearance. Under the existing program, VA acquires about 1,000 loans a year. Because VA accepts so few veteran-borrowers for the existing program, it was assumed that only 600 borrowers would be selected for the new program. The \$10,000 loan maximum was estimated to be needed to cover 8 delinquent payments and 6 future payments on the average VA loan. All assistance loans were assumed to be made for the maximum allowable term of 15 years at the current VA interest rate of 7 percent.

The existing loan acquisition program has a default rate of around 50 percent. Because the new program would have somewhat less stringent qualification standards, it was assumed that 60 percent of the assisted borrowers would eventually default on both loans. This would result in a subsidy rate of approximately 55 percent. The assistance loans that do not default would prevent the foreclosure of the guaranteed loans with which they are associated, thereby reducing the default costs of guaranteed loans. These savings would more than offset the cost of the assistance loans.

Section 5. Under current law, VA will pay a burial plot allowance to the survivors of a veteran if the veteran is a recipient of compensation or pension benefits at the time of death. Section 5 would provide for a plot allowance to be paid on behalf of any veteran who is buried in a state veterans' cemetery, regardless of whether the veteran was receiving compensation or pension. In this instance, however, the plot allowance would be paid to the state cemetery.

(By fiscal years, in millions of dollars)

	1994	1995	1996	1997	1998
Estimated budget authority	1	1	1	1	1
Estimated outlays	1	1	1	1	1

Based on VA data regarding the number of burials of veterans in state veterans' cemeteries and the number of plot allowances paid on their behalf, it is estimated that plot allowances would be paid for an additional 5,000 veteran deaths per year under this proposal.

Section 6. This section would increase the maximum grant for VA's State Cemetery Grants program from 50 percent of the cost of establishing or improving a state veterans' cemetery to 65 percent.

(By fiscal years, in millions of dollars)

	1994	1995	1996	1997	1998
Estimated authorization of appropriations	1	1	1	1	2
Estimated outlays	0	(1)	(1)	1	1

¹ Less than \$500,000.

This estimate assumes that appropriations would be made available to finance the increase in the federal share without a reduction in the number of grants made. It was also assumed that the number of grants would not rise under the proposal, despite the increased attractiveness of the 65 percent federal share, because of the budget difficulties currently faced by most state governments.

Section 7. This section would authorize VA to make grants to states for the establishment or improvement of state veterans' cemeteries for 1995-1999; the current authorization expires in 1994.

(By fiscal years, in millions of dollars)

	1994	1995	1996	1997	1998
Estimated authorization of appropriations	0	5	6	6	6
Estimated outlays	0	0	1	1	3

The 1993 appropriation for this account was \$5,104,000. This amount was increased for inflation to estimate the authorization level for 1995-1998. Outlays were estimated according to historical spending patterns for this account.

6. Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. The spending increases that would result from H.R. 949 would have the following pay-as-you-go impact:

(By fiscal years, in millions of dollars)

	1994	1995	1996	1997	1998
Change in outlays	-2	-3	-3	-3	-3
Change in receipts	(1)	(1)	(1)	(1)	(1)

¹ Not applicable.

7. Estimated cost to state and local governments: Sections 5, 6, and 7, would affect the budgets of those states currently operating veterans' cemeteries or planning to establish a veterans' cemetery. In all three cases, the increase in federal spending could result in a corresponding reduction in state costs. The participation of a state in the cemetery program is completely voluntary.

8. Estimate comparison: None.

9. Previous CBO estimate: On August 3, 1993, CBO submitted a cost estimate of H.R. 949, as ordered reported by the House Committee on Veterans' Affairs, which reflected a net increase in direct spending budget authority and outlays of \$5 million annually in 1994-1997 and \$6 million in 1998. This cost was attributed to the increase in the maximum loan guaranty level contained in section 1.

Since that time, the Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66) was enacted. P.L. 103-66 included provisions to increase VA loan origination fees and to extend certain requirements for the disposition of defaulted loans. These changes are estimated to reduce net program costs to the point that the subsidy on VA-guaranteed loans will be negative. With a negative subsidy, the additional loans that would be made under the higher guaranty ceiling provided by section 1 of this bill, would reduce rather than increase direct spending. This result is reflected in the current estimate of section 1.

10. Estimate prepared by: K.W. Shepherd and Mary Helen Petrus.

11. Estimate approved by: C.G. Nuckols, Assistance Director for Budget Analysis.

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 949, the Veterans' Home Loan and State Veterans' Cemetery Improvements Act of 1993. I want to commend the distinguished chairman, the gentleman from Mississippi [Mr. MONTGOMERY] and the gentleman from Illinois [Mr. SANGMEISTER] and the ranking minority member for bringing this measure to the floor at this time.

Mr. Speaker, I am pleased to rise in support of H.R. 949, the Veterans' Home Loan and State Veterans' Cemetery Improvements Act of 1993. I commend my colleague, the gentleman from Illinois [Mr. SANGMEISTER], for introducing this worthy legislation and, I praise the commitment that our Veterans' Affairs Committee has shown to the issues that affect our Nation's service men and women. Under the effective leadership of the ranking member, the gentleman from Mississippi [Mr. MONTGOMERY], and the ranking minority member, the gentleman from Arizona [Mr. STUMP], the 103d Congress has approved a number of significant legislative initiatives that will positively benefit our Nation's veterans, and their families.

The purpose of H.R. 949, is twofold. First, this measure will increase the veterans home loan guaranty from \$46,000 to \$50,750 per loan. In today's tough economic climate, I am pleased that the VA will be authorized to continue to provide financial assistance to those veterans who are in need. Many veterans from my congressional district often remind me of the benefits of a VA home loan. It is gratifying that this program will be expanded to be of help to many more deserving families. Moreover, this measure protects our veterans from foreclosure by providing up to \$10,000 in order to avoid foreclosure of home loans guaranteed by the Department of Veterans' Affairs.

Second, H.R. 949, will correct, what I have long believed to be an inequity in the current law. I have long endeavored to improve veterans' burial allowances. And, I am pleased that H.R. 949, will allow all veterans to be considered eligible for the \$150 burial plot allowance. Currently, this allowance is provided only to veterans who were recipients of compensation or pension benefits at the time of their death. I am pleased that this measure will expand burial benefits to all veterans, who have given so much to our country. They deserve this final show of respect.

Accordingly, I encourage my colleagues to continue to enhance the lives of our Nation's veterans and to support H.R. 949.

Mr. CASTLE. Mr. Speaker, I want to express my support for H.R. 949, the Veterans Home Loan and State Veterans Cemetery Act of 1993. This legislation will improve the VA Home Loan Guarantee Program; provide burial allowances for all veterans buried in State cemeteries; and, strengthen the State Cemetery Grant Program. I congratulate Chairman MONTGOMERY and the members of the Veterans Affairs Committee for their efforts on behalf of our veterans.

I am especially pleased that the bill addresses the burial plot allowance. This issue is of particular concern to veterans in Delaware. The Delaware Commission of Veterans Affairs

has actively promoted the removal of the limitations for payment of the \$150 burial plot/interment allowance. This payment helps offset the costs of the burial of veterans in State veterans cemeteries. H.R. 949 will authorize the payment of the \$150 plot allowance to the State for any veteran interred in a State veterans cemetery, who otherwise is eligible for burial in a national cemetery.

I support this improvement to the plot allowance program. In addition, I appreciate the assurances my office has received from the committee that any questions regarding the text of the bill on this issue will be fully clarified to ensure that the plot allowance is provided to all veterans.

I applaud the committee for its work on these issues, and I urge passage of H.R. 949.

Mr. BURTON of Indiana. Mr. Speaker, H.R. 949 authorizes monetary assistance by the Department of Veterans Affairs to veterans who have been unemployed, and as a result have fallen behind in their mortgage payments. This loan or series of loans may not exceed \$10,000, however, the VA will not provide assistance in a case where the veteran has no reasonable prospect of repaying the loan. Simply stated, this provision gives the VA one more tool with which it can help the veteran own a home.

H.R. 949 also enhances the State Cemetery Grants Program by authorizing the payment of the \$150 plot allowance to States for any veteran interred in a State veterans cemetery, who otherwise is eligible for burial in a national cemetery.

Finally, H.R. 949 will also increase the VA loan guaranty from \$46,000 to \$50,750 which increases the no down payment VA home limits from \$184,000 to \$203,000. This change responds to the recent announcement by Fannie Mae and Freddie Mac that they would repurchase loans up to \$203,150.

I believe that H.R. 949 reaffirms this Government's commitment to our Nation's veterans and deserves the support of the entire U.S. Congress.

Mr. BISHOP. Mr. Speaker, I rise today to urge my colleagues on both sides of this Chamber to do what is right for our veterans. We must support H.R. 949, which addresses two very important issues concerning guaranty loans and burial of veterans. H.R. 949 increases the no-downpayment limit on VA guaranteed loans for the purchase of homes, and expands eligibility for \$150 plot allowance payable to states for certain veterans buried in a national cemetery.

As a cosponsor of this very important measure, I point out that increasing the guaranty loan will keep the VA up to date on market changes by increasing the no-downpayment limit from \$184,000 to \$203,000. Currently, Fannie Mae and Freddie Mac now purchase loans up to \$203,150 on the secondary market. Increasing the loan guaranty will give our veterans a fair shake when they are buying a home.

For the fiscal year 1992, 82.6 percent of all VA purchase loans were obtained through no downpayment. Only 2 percent of the loans guaranteed in fiscal year 1992 were in amounts over \$180,000. It is only right that we help our veterans, who have fought long and hard to defend this country, to purchase a

home in the very Nation to which they have devoted their lives.

Let us not forget, however, their burial. H.R. 949 not only addresses a \$150 plot allowance payable to States for veterans interred in State veterans cemeteries, but it also increases the Federal/State share to a 65/35 percent split in expanding existing or establishing new State veterans cemeteries. This bill is not only right, but is it practical. H.R. 949 will save \$2 million in fiscal year 1994 and \$14 million over a 5-year period. I urge you to do what is right. Vote for H.R. 949.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and pass the bill, H.R. 949, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend title 38, United States Code, to improve the veterans' home loan guaranty program and the State cemetery grants program, and for other purposes."

A motion to reconsider was laid on the table.

HATE CRIMES SENTENCING ENHANCEMENT ACT OF 1993

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1152) to direct the United States Sentencing Commission to make sentencing guidelines for Federal criminal cases that provide sentencing enhancements for hate crimes as amended.

The Clerk read as follows:

H.R. 1152

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 "Hate Crimes Sentencing Enhancement Act of 1993".

SEC. 2. DIRECTION TO COMMISSION.

(a) IN GENERAL.—Pursuant to section 994 of title 28, United States Code, the United States Sentencing Commission shall promulgate guidelines or amend existing guidelines to provide sentencing enhancements of not less than 3 offense levels for offenses that the finder of fact at trial determines beyond a reasonable doubt are hate crimes. In carrying out this section, the United States Sentencing Commission shall assure reasonable consistency with other guidelines, avoid duplicative punishments for substantially the same offense, and take into account any mitigating circumstances which might justify exceptions.

(b) DEFINITION.—As used in this Act, the term "hate crime" is a crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property which is the object of the crime, because of

the actual or perceived race, color, religion, national origin, ethnicity, gender, or sexual orientation of any person.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 20 minutes.

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

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

Mr. Speaker, I rise in support of H.R. 1152, the Hate Crimes Sentencing Enhancement Act of 1993.

H.R. 1152 directs the U.S. Sentencing Commission to adopt sentencing guidelines to increase, by three offense levels, the sentence received for an offense that is determined beyond a reasonable doubt to be a hate crime by the finder of fact at trial. As used in this legislation, the term "hate crime" is defined as "a crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property which is the object of the crime, because of the actual or perceived race, color, religion, national origin, ethnicity, gender, or sexual orientation of any person."

Under H.R. 1152, any such Federal crime would receive an enhanced sentence of at least three offense levels under the sentencing guidelines applied by the court.

Mr. Speaker, only this year the Supreme Court in Wisconsin versus Mitchell upheld the constitutionality of laws providing enhanced sentences for criminals who commit hate crimes, as determined beyond a reasonable doubt by the finder of fact at trial. H.R. 1152 is similar to the Wisconsin statute at issue in the Mitchell case. Similar legislation passed the House of Representatives by voice vote on October 3, 1992, but died in the Senate during the closing hours of the 102d Congress.

It is important to note that the Anti-Defamation League, of B'nai B'rith, found that in 1991 there were 1,879 accusations or incidents of hate crime based on religious, ethnic, or gender discrimination of some sort—a record number of incidents. Those incidents declined to the second highest number ever recorded of 1,730 in 1992. Now, I think we ought to do something about that, and that is why I brought this bill to the floor today.

I compliment the Crime Subcommittee chairman, Mr. SCHUMER, for his leadership in introducing this legislation and vigorously moving and improving the bill before us.

I urge all my colleagues to cast their vote in favor of this important measure.

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

Mr. Speaker, let me make this perfectly clear. This bill does not create a new Federal crime. Nothing that is presently not criminal now would be made criminal as a result of enactment of H.R. 1152. What enactment of H.R. 1152 will do is provide for enhanced criminal penalties for certain specifically designated hate crimes.

The bill provides for enhanced penalties of not less than offense levels under the sentencing guidelines for offenses that are hate crimes. As used in the bill, the term hate crime is defined as a Federal crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property which is the object of the crime because of the actual or perceived race, color, religion, national origin, ethnicity, gender, or sexual orientation of the person.

Earlier this year the U.S. Supreme Court unanimously upheld the constitutionality of a similar Wisconsin hate crime sentencing enhancement law in the case of Wisconsin versus Mitchell, No. 92-515, decided June 11, 1993.

H.R. 1152 was amended in committee to make it more similar to the Wisconsin law.

In the 101st Congress the Hate Crime Sentencing Act was enacted, Public Law 101-275. That law provides for the acquisition and publication of data about crimes that manifest prejudice based upon certain group characteristics.

In short, the act requires the Attorney General to acquire data for the calendar year 1990 and for each of the 4 succeeding calendar years about crimes that manifest evidence of prejudice based upon race, religion, sexual orientation, or ethnicity.

Educating the public and training law enforcement personnel to ask the right question were recurring themes in the testimony on a similar hate crimes bill, H.R. 4797, before the Judiciary Committee during the 102d Congress. Testimony brought out the fact that we must educate our youth and others; for example, what a swastika represents and what escalating and long-term hate crimes can bring.

Testimony also brought out how law enforcement must be trained to ask the right question and otherwise how to proceed when investigating whether a crime is in fact a hate crime. Such training could be especially important in smaller communities, many of which are unaware of the hate crimes law and the distinction between crimes motivated by hate and other crimes, simply because hate crimes have not occurred in those smaller communities.

In response to such a concern, the FBI as a part of the Hate Crimes Statistics Act has begun training law enforcement in this respect.

We as supporters of this legislation before the House today note the damage inflicted by hate crimes. Hate crimes are more serious offenses and often result in a greater level of injury to the victim and to society.

□ 1350

The committee report on H.R. 4797, House Report 102-981, notes that:

These crimes are not ordinary crimes of violence or destruction of property. Crimes of hate transcend their immediate victims and cast a shadow of fear and terror throughout entire communities.

As Peg Rivera, a witness at the subcommittee hearing on May 11, 1992, stated:

We are not talking about the obvious physical damage inflicted during a hate motivated attack. We are referring to the fear, the terror, that one experiences when faced with a passionate rejection because of what one is. An absolute stranger looks at you and hates you.

Additionally, Mr. Speaker, Bruce Fein, a witness at the subcommittee's July 29, 1992, hearing on H.R. 4797 observed that:

Certainly the rioting in the aftermath of the acquittals in the trial of the officers accused of beating Rodney King indicate that there is a socially incendiary or nitroglycerine quality that is generated by crimes that are motivated by bigotry.

While Mr. Fein's analogy may or may not be imperfect, the picture he paints is instructive.

Mr. Speaker, this bill will provide a deterrent to people who commit hate crimes which can very easily escalate into mass destruction and hurting of a lot of people, and I would urge the House to approve it today.

Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. SENSENBRENNER] for yielding this time to me.

Mr. Speaker, I rise in support of H.R. 1152, the Hate Crime Sentencing Enhancement Act. As a former career prosecutor, but also as a defense attorney, I can say it has been a long part of our criminal justice system that there are aggravating and mitigating circumstances that can be considered for the purpose of a sentencing after a due process conviction, and I believe that motivation has been, and can be, an appropriate part of those circumstances; in this case, of course an aggravating circumstance.

A rock through somebody's window at home as an act of wanton vandalism is troubling enough. It is a crime, it causes costs, it causes irritation, and it causes injury to the owners of that house. But a rock through a window with a note tied to it that says, "We don't want your kind of people living in this neighborhood," changes the whole character of that offense, even though physically speaking it is the

same offense. But to indicate that the motivation for such an attack is the result of hate and bigotry creates an additional sense of apprehension upon the victims and additional damage to the entire community.

For that reason, Mr. Speaker, I am very pleased that we are considering this bill today, and I urge its passage.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SCHUMER], chairman of the Subcommittee on Crime and Criminal Justice.

Mr. SCHUMER. Mr. Speaker, I would first like to thank and commend Chairman BROOKS for his steadfast support in bringing this important bill to the floor today. I would also like to thank DON EDWARDS for his substantial contributions to this bill. And I would like to thank my colleagues on the other side of the aisle, JIM SENSENBRENNER, STEVE SCHIFF, and HENRY HYDE, for their support and assistance. This is truly a bipartisan effort.

I introduced H.R. 1152 earlier this year in response to an epidemic of hate crime which is spreading at an alarming rate throughout this country. This bill is similar to one I introduced last year, which passed the House of Representatives, by voice vote. It failed to pass the Senate only because of a last minute hold by one Senator in the closing hours of the 102d Congress.

Hate crimes strike at the very heart of the American identity. When a swastika is smeared on a synagogue wall, or a cross is burned on the lawn of a black family, that act is not only aimed at a single person or edifice, but also at the hearts of millions of others. Hate crimes take aim at the cherished American notion that we can all live together harmoniously.

In May of last year, the Subcommittee on Crime and Criminal Justice held a hearing at which we learned of the devastating impact hate crime is having in communities across the Nation.

The statistics confirm what we learned in that hearing. According to the Anti-Defamation League of B'nai B'rith, the number of anti-Semitic acts committed in this Nation in 1992 was the second highest total ever reported since such records have been kept. The National Gay and Lesbian Task Force Policy Institute reported that antigay assaults in our major cities increased by another 4 percent in 1992. Asian-Americans have noted a dramatic increase in anti-Asian violence as Japan-bashing has become common. Other minorities report similar, demoralizing increases.

This legislation would direct the U.S. Sentencing Commission to establish guidelines to increase the sentence for the commission of any Federal crime where the perpetrator intentionally selected a victim because of race, color, religion, national origin, ethnicity, gender, or sexual orientation. This act

would result in an average increase of one-third real time served.

There is no doubt as to the constitutionality of this bill. Earlier this year, the Supreme Court unanimously held that laws providing stiffer sentences for criminals who commit hate crimes are constitutional. The Court sent a clear message that when bigoted thought turns into criminal action, the Constitution is no refuge.

In *Wisconsin versus Mitchell*, the Court upheld a Wisconsin hate crime sentencing enhancement statute that is similar to this bill, as well as to other similar statutes already on the books in more than half the States. The decision swept away any suggestion that such laws violate the first amendment and made clear that Government is empowered to protect its citizens from the menace of hate crime.

I have worked very closely with my colleague, DON EDWARDS, to ensure that the bill effectively punishes hate crime while guaranteeing that proper procedural protections will safeguard the constitutional rights of our citizens. I commend him and his staff for their very positive contributions to this legislation. I know he wanted to speak on behalf of the bill today, but a family emergency has kept him from being here. However, he has given me this written statement, and I include it for the RECORD.

In closing, Mr. Speaker, I would like to say that the Hate Crimes Sentencing Enhancement Act is a good idea whose time has come. I urge each of my colleagues to support the bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, H.R. 1152, the Hate Crimes Sentencing Enhancement Act, is needed legislation. Hated, whether spurred by considerations of race or ethnicity or religion, has played a role in this century so vivid that justice cries out for such a bill. I commend my friends CHARLES SCHUMER, JIM SENSENBRENNER, JACK BROOKS, and HAMILTON FISH for making this vote possible.

The bill directs the U.S. Sentencing Commission to provide sentencing enhancements for offenses found to be hate crimes. The definition of hate crime "is a crime in which the defendant intentionally selects a victim * * * because of the actual or perceived race, color, religion, national origin, ethnicity, gender or sexual orientation of any person." This language was added by way of an amendment I offered during the bill's consideration in the House Judiciary Committee. I was concerned that the bill's original language might be open to constitutional challenge as being too vague and punishing abstract thought as opposed to conduct. I chose the words of my amendment to parallel as much as possible

language in the Wisconsin penalty enhancement statute found by the Supreme Court to be constitutional in Wisconsin versus Mitchell.

I should address the concern that my language would make all rapes hate crimes since most rape victims are obviously chosen, at least in part, because of their gender.

The bill explicitly states that in developing penalty enhancements, the U.S. Sentencing Commission shall "avoid duplicative punishments for substantially the same offense[.]" Rape is a particularly heinous crime and is rightly treated as such in the United States Code. But the treatment of rape in and of itself, with no other indicia of the defendant's animus toward the victim's gender, subject to penalty enhancement for being a hate crime would duplicate punishment and is rejected by the bill.

Mr. Speaker, I urge all Members to support this most worthy bill.

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from North Carolina [Mr. WATT].

Mr. WATT. Mr. Speaker, I realize it's a little out of character, but I rise today in opposition to H.R. 1152, the Hate Crimes Sentencing Enhancement Act of 1993. While I hesitate to oppose a bill that the chairman and most of the Democratic members of the Judiciary Committee support, I am compelled to oppose it nonetheless because of an obligation I feel to ensuring that our criminal justice system treats all who enter it fairly. My 22 years of experience as a practicing attorney, some of which were spent representing criminal defendants, lead me to believe that this bill will hinder, rather than help, us in dispensing justice. If H.R. 1152 becomes law, problems of proof in criminal cases, which are already enormous, will become impossible. The focus of prosecutions will shift from proving facts to delving into emotions and motivations. We will start requiring juries to determine what motivated the defendant's conduct instead of focusing on the factual issue of whether particular conduct was committed. In short, H.R. 1152 would be adding a new, dangerous and virtually impossible responsibility to the criminal justice system. While I know the intention of this bill is primarily to protect racial and religious minorities, the bill's impact is likely to fall hardest on the very people it is intended to help. In fact, a similar law in my home State of North Carolina has been used against black defendants in three of the five cases it was applied in North Carolina. Don't get me wrong, I'm not against prosecuting a guilty party whether that party is black or white. But it is well known that disproportionate numbers of minorities enter the criminal justice system. For example, African-Americans are four times as likely to be ar-

rested on drug charges as white people despite the fact that reliable data indicates that 75 percent of drug use in this country is by whites. While blacks represent only about 12 percent of the overall U.S. population, they make up about 33 percent of the Federal prison population and 46 percent of the State prison population.

This disproportionate representation occurs not only because of guilt or innocence. It occurs because of social and economic factors and also, whether we like to admit it or not, because of the racism that still exists in our society. Whether we like to admit it or not, our society is race conscious. We tend to express things in racial terms when we're emotional. I think it's a bad idea to make it possible to prosecute someone for a hate crime and prolong criminal trials and increase the burden on prisons every time a racial remark or epithet is uttered in the course of a fight. It's the assault which ought to be punished, not the emotional state of the person charged.

While this law is intended to be color blind, based on my experience, I'm sure that its implementation will not be. We'll be back here in 3 to 5 years, lamenting that we need to revise this bill because we will have found that it is being used more often than not against the very people it was intended to benefit.

I am further concerned that H.R. 1152 becomes law, prosecutors will use it as another bargaining chip in pressuring defendants, especially black defendants, to plead guilty. While there can be no question that people who commit criminal acts of violence against anyone should be punished, this bill would allow a prosecutor to have additional leverage over a defendant by raising the possibility of using bias to prove criminal wrongdoing. Thus, there is a danger that overzealous prosecutors might persuade defendants to plead guilty based upon things which may not even be related to the crime they are being accused of.

Mr. Speaker, the criminal justice system in this country was intended to judge those accused of crimes objectively and unemotionally. But this bill asks the criminal justice system to take emotion into account in determining guilt or innocence. Hate crimes involve issues which are inherently emotional. The issues of race, color, religion, and sexual orientation are surrounded by intense, often subjective emotions in this country; using them as criteria by which to judge criminal guilt will only confuse and skew the administration of justice here. I ask my colleagues to join with me in voting against this well-intentioned but misguided bill. I'm not concerned about its constitutionality. I just think it's a bad idea.

□ 1400

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of this worthy measure.

Mr. Speaker, it is my honor to rise in support of H.R. 1152, the Hate Crimes Sentencing Enhancing Act. I commend the gentleman from New Mexico [Mr. SCHIFF], and the gentleman from New York [Mr. SCHUMER] for introducing this worthy legislation. And, I praise the commitment that our Judiciary Committee has shown to the issues that affect our Nation. Under the effective leadership of the ranking member, the gentleman from Texas [Mr. BROOKS], and the ranking minority member, the gentleman from New York [Mr. FISH], the 103d Congress has approved a number of significant legislative initiatives that will positively benefit our Nation.

With the passage of the Hate Crimes Sentencing Enhancement Act, the House of Representatives is affirming that as a Nation, we will not tolerate the actions of those who commit acts of violence based on race, color religion, national origin, ethnicity, general or sexual orientation.

By directing the U.S. Sentencing Commission to develop guidelines for Federal criminal cases that are found to be motivated by hatred, H.R. 1152 sends a clear signal to such offenders.

As the Supreme Court demonstrated in the case of Wisconsin versus Mitchell—motivation is one of several factors that may be considered when determining a sentence. In this decision, the court further stated that the enactment of laws, that impose tough penalties on crimes that are motivated by prejudice, do not violate an offender's freedom of speech. With this ruling, the Supreme Court has upheld the basic principle of H.R. 1152—those convicted of hate crimes must be held responsible for their actions.

I am proud to stand before the House of Representatives in support of this legislation. While I do not believe that racism, anti-semitism, and intolerance will be abolished with the passage of H.R. 1152, I do believe that this measure provides our legal system with much needed support in that direction.

More importantly, I am hopeful that as a result of today's debate, as a Nation, we will learn. We will learn tolerance and acceptance. And, most importantly, I believe we will learn to respect all mankind.

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

Mr. BROOKS. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, this bill is designed to avoid hate crimes. Not only do these kinds of crimes terrorize neighborhoods but they also significantly damage race relations in a community.

This bill is narrowly drawn to avoid imposing on speech, and it will go a

long way toward improving race relations in America.

Mr. Speaker, this bill has been reviewed. It is very closely drawn, and it takes into consideration the Supreme Court decisions and will impose appropriate punishment on those who intentionally select a victim because of race, color, gender, or other factors.

Mr. Speaker, I hope it will be the pleasure of the House to pass the bill.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Speaker, I rise today in support of the Hate Crimes Sentencing Enhancement Act of 1993, which, as has been stated, will increase the penalties for crimes directed against individuals by reason of their race, religion, sex, nationality, or sexual orientation.

This legislation demonstrates our society's rightful abhorrence against these despicable and cowardly crimes.

Mr. Speaker, there ought to be an extra penalty for hate crimes because the hate crime not only victimizes the individual by reason of the violence directed against him or her but victimizes society and victimizes the individual further by sending a message that because of the person's race, religion, creed, sexual orientation, or whatever, that person is not free to walk the streets, earn a living, or enjoy the fundamental rights of all American citizens. That is its purpose.

I have heard objections that this bill somehow violates the first amendment, that it makes it a thought crime. That is not true. The fact is that many of our laws, of course, contain elements of intent, of mens rea. Most criminal laws do. This intent would have to be proven, and, if proven, it constitutes an element of the offense as mens rea or intent does in many other crimes.

If we as a nation truly value freedom and human dignity, we must act today against hate crimes. There can be no place in America for intolerance and hatred. Even today people from around the world look to us as a beacon of freedom, for that is our heritage, but our tradition of tolerance is threatened by the thugs who are responsible for the rising tide of hate crimes in this country.

We must act now. The Supreme Court has ruled that similar legislation in several States meets constitutional muster.

Mr. Speaker, I commend the gentleman from New York for introducing the bill, I commend the committee and the committee chairman for reporting it, and I urge my colleagues in the House to vote for this bill to send a message and create a reality that there will be fewer hate crimes in the United States.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. OWENS].

Mr. OWENS. Mr. Speaker, I rise in strong support of H.R. 1152.

This bill should be supported for many reasons, one of which is its powerful potential for education. It is important that it be understood that in our democratic society we do consider it a more serious crime if one commits a crime on the basis of some hatred, racial, ethnic, sexual orientation, or otherwise.

It also should be supported because of its powerful impact in terms of deterrence. Criminals who commit hate crimes think first. These are premeditated crimes. There is nothing that is accidental. It is not by emotion; it is always a premeditated crime against a person or against property.

It also is important because the victims of hate crimes are usually innocent people who have no defense. They cannot protect themselves, they cannot anticipate. Hate-crime criminals are different from other criminals. They come in all forms. One cannot distinguish them. They strike at any particular time; they strike at any particular place. One cannot tell them from ordinary citizens.

So hate crimes need to have special attention. Every schoolchild in a civics class or a social studies class needs to know that the U.S. Congress has passed a bill which raises any offense which has a motivation of hate three severity levels at least, that we consider it a more severe crime, that we consider it something that is more repugnant, and that our country and our national purpose militate against it.

Mr. Speaker, that message needs to be sent, and this bill sends that message to all. It can deter, it can educate, and most of all, it can help protect all the innocent victims out there who have no defense against hate crimes.

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Speaker, I rise in support of H.R. 1152, legislation directing the U.S. Sentencing Commission to adopt guidelines to increase the sentence for a Federal offense that was a hate crime.

We are all disturbed by the number of crimes committed in this country that are motivated by the victim's race, color, religion, or national origin. Such acts simply have no place in a civilized society, and defendants found guilty of committing a hate crime should face a stiffer sentence as a result.

A particularly heinous racially motivated hate crime occurred in my own congressional district, a crime that resulted in the death of the victim, Donald Thomas of Arlington, TX. The three defendants, all avowed white supremacists, admitted that they selected their victim solely because he was black.

The Justice Department is currently reviewing this case to determine

whether any Federal statutes have been violated. Federal charges may yet be brought against the defendants once the State prosecution has been concluded.

Mr. Speaker, this is one example where, if a Federal offense is found, longer sentences could be imposed. I believe that it is appropriate and necessary for us to strengthen the sentences for hate crimes. I support this legislation, and commend my colleague from New York, Mr. SCHUMER, for his leadership.

□ 1410

Mr. BROOKS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York [Mr. TOWNS].

Mr. TOWNS. Mr. Speaker, I rise today in strong support of the Hate Crimes Sentencing Enhancement Act which has been so strongly championed by many in this House.

Mr. Speaker, many of the neighborhoods and communities of our country are facing increasing levels of violent crime. No one doubts that we need to protect all people.

Yet there is a particular motivation for crime that should give all of us pause. That is the motivation of hate, not for any personal reason, but based on a victim's race, gender, ethnicity, or religion. Crimes which target victims on this basis attack the very nature of our society, and the hopes of our Founders to build an American identity out of the diverse origins and beliefs of the many people who call America home.

Many of us treasure our distinctive heritage, and we are taught to tolerate the distinct heritage of others. But we cannot tolerate it when independent thought becomes the motivation for hate crime, when people are beaten for their race, when their property is destroyed because of their beliefs, when they are attacked because of their gender, or when they cannot walk the streets because of their sexual orientation.

Our democracy works because we protect the views of the minority. Our democracy cannot survive if those who differ from the majority can be attacked in the street. We must act to end hate crime, and I think this bill is a giant step in the right direction.

Mr. EDWARDS of California. Mr. Speaker, I rise today in support of H.R. 1152, the Hate Crimes Sentencing Act. I wish to thank the distinguished chairman of the Judiciary Committee for bringing this measure to the floor. I also want to commend the chairman of the Subcommittee on Crime and Criminal Justice, Mr. SCHUMER, for his work on this bill, and his cooperation in resolving some of the issues that concerned me.

Mr. Speaker, almost daily, the headlines remind us that our country, made up of diverse cultures, is becoming increasingly intolerant. Crime victims now are often chosen solely because of their race, religion, gender, national

origin, or sexual orientation. While all crimes are an offense to society, hate crimes are especially damaging because they convey a message of fear to entire communities.

Several States have already taken the lead in condemning this particularly destructive type of crime by enacting hate crimes statutes. The Supreme Court has upheld the constitutionality of these statutes, clearing the way for enactment of a Federal hate crimes measure.

H.R. 1152 is a measured approach to punishing the perpetrators of hate crimes. The bill preserves the constitutional protections of due process and freedom of speech by requiring the prosecution to prove at trial and beyond a reasonable doubt that the offense is in fact a hate crime. This requirement will help ensure that only conduct directly related to a particular act, and not simply hateful thought, is punished. Proving the hate element at trial also allows the defendant to benefit from the rules of evidence by cross-examining witnesses and excluding illegally seized evidence.

Mr. Speaker, hatred is a thought which has always been protected by the Constitution. However, when that thought is translated into action in the form of a hate crime, the Government has an obligation to punish that behavior. By passing H.R. 1152, we will send the message that intolerance has no place in our society and there will be punishment for those who violate that ethic. I urge my colleagues to vote for the bill.

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

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 1152, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AMENDING OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968 TO ALLOW FORMULA GRANTS IN CERTAIN CASES

Mr. BROOKS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1385) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow formula grants to be used to prosecute persons driving while intoxicated.

The Clerk read as follows:

H.R. 1385

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

SECTION 1. GRANT PROGRAM DESCRIPTION.

Section 501(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(1) by striking the period at the end of paragraph (21) and adding “; and”;

(2) by adding at the end the following:

“(22) programs for the prosecution of driving while intoxicated and the enforcement of other laws relating to alcohol use and the operation of motor vehicles.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. BROOKS] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. SENSENBRENNER] will be recognized for 20 minutes.

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

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

Mr. Speaker, I rise in support of H.R. 1385, which would amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow Federal grant moneys to be used to prosecute persons driving while intoxicated, as well as to enforce other laws relating to alcohol use and the operation of motor vehicles. The legislation is important because it adds a new purpose for which formula grants can be used by the States.

Mr. Speaker, title I of the Omnibus Crime Control and Safe Streets Act of 1968, provides two types of Federal grants to the States for use in law enforcement: First, formula grants which go directly to each State and which presently specify 21 purposes for which the funds may be used; and second, discretionary grants which the Bureau of Justice Assistance uses in making grants for those purposes it deems useful. Now, thanks to H.R. 1385, a new, important purpose will be added.

I want to compliment the gentleman from New York [Mr. SCHUMER], who chairs the Judiciary Committee's Subcommittee on Crime and Criminal Justice. I also compliment the gentleman from New Mexico [Mr. SCHIFF] for introducing this bill and being such an ardent supporter in its behalf.

H.R. 1385 is an important piece of legislation, and I urge the Members to cast their votes in support of it.

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

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

Mr. Speaker, at the outset, let me also add my words of praise to the gentleman from New Mexico [Mr. SCHIFF], who indeed has been the driving force behind this legislation.

Mr. Speaker, 25 years ago as a member of the Wisconsin State Assembly I was a cosponsor of my State's first implied consent law which was designed to give prosecutors and law enforcement the tools to convict people who were driving while intoxicated on Wisconsin roads.

Mr. Speaker, drunk driving continues to be America's most critical highway safety problem. In 1991, the proportion of alcohol-related deaths to the total of all car crash fatalities was 48 percent—the lowest it has been in ten years—but not low enough. Over 1 million constituents yearly are motor vehicle crash victims, including more than 17,000 dead each year. According to one hearing witness, in 1992 about 355,000 people were injured in crashes where

alcohol was present. Added to this tragedy is the economic cost which includes costing employers 15 million days of lost time and \$46 billion annually. The real problem with DWI is caused by repeat offenders and drivers with high blood alcohol contents or levels. I think we all know that.

Mr. Speaker, this uncontroversial DWI bill was the subject of recent subcommittee hearings and can be easily summarized. H.R. 1385 amends the Omnibus Crime Control and Safe Streets Act by adding a 22d category of initiatives toward which States may apply for Bureau of Justice Assistance Byrne program formula grant money. This bill will allow States to fund programs for the prosecution of driving while intoxicated [DWI] and the enforcement of other laws relating to alcohol use and the operation of motor vehicles. This bill does not authorize any new spending, but simply broadens the choices now given to the States on spending existing Federal criminal justice assistance to include DWI. The bill is purposely silent on how each State should use the grant moneys, since each State may require funds for different operations involved with combating DWI.

The subcommittee hearing was uncontroversial with respect to H.R. 1385: All witnesses testified in support of H.R. 1385's block grants. On July 28, 1993, the Subcommittee on Crime and Criminal Justice favorably reported H.R. 1385 by unanimous voice vote and without amendment. On September 14, 1993, the full Committee on the Judiciary ordered H.R. 1385 favorably reported to the House.

H.R. 1385 is also consistent with principles of federalism. While fighting DWI is primarily a State and local law enforcement issue, this proposal will give them better tools and equipment to prevent and otherwise address this vexatious problem. Congress is placed in a supporting role, and this bill enhances that supporting role.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. Mr. Speaker, I thank the gentleman for yielding. I would also like to thank the gentleman from Texas [Mr. BROOKS], and the ranking member of the Committee on the Judiciary, the gentleman from New York [Mr. FISH], for bringing this bill to the floor. I also want to thank the gentleman from New York [Mr. SCHUMER] and the gentleman from Wisconsin [Mr. SENSENBRENNER], the subcommittee chairman and ranking member, for their support in the subcommittee and in the full committee on this bill.

Mr. Speaker, the carnage that is caused by drunk drivers is all too well-known in our society. I personally believe that more American citizens die as a result of the actions of drunk drivers than from the perpetrators of other

types of homicide, even though those other types of homicide tend to get more publicity.

Because of the serious impact and death and injury and property damage caused by drunk drivers, the gentleman from New York [Mr. SCHUMER] and the ranking member, the gentleman from Wisconsin [Mr. SENSENBRENNER], held a hearing on DWI and what should be done about it.

Mr. Speaker, I have to say there was some controversy during the hearing. There was no controversy about fighting drunk driving. Everyone is in agreement about that. There is, however, some legitimate disagreement as to what are the most effective measures that can be taken to stop drunk driving. There is further legitimate disagreement as to what is the Federal role versus the State and local government role.

However, during the hearings there was unanimous agreement by all of the witnesses, regardless of their position on any other issue, that H.R. 1385 would be a useful addition to the law. It allows the States and local governments to use their share of current Federal grant funds to help fight and prosecute drunk driving, if they choose to do so.

Mr. Speaker, it is my belief that when drunk driving and the death and injury and property damage it causes are given to the States as a choice upon which they can choose to spend Federal grant funds, that it will be used in every opportunity that they have that option.

□ 1420

This bill will give them that option. It will not, however, compel them to do anything.

Again, I appreciate the support of my colleagues, and I urge passage of this bill.

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

Mr. BROOKS. Mr. Speaker, I yield 3 minutes to the distinguished chairman of the subcommittee, the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, again, I thank the gentleman from Texas [Mr. BROOKS] for bringing the bill to the floor and certainly want to commend my colleague, the gentleman from New Mexico [Mr. SCHIFF] for his longstanding efforts to move this bill. I know that the issue of drunken driving is a big problem throughout America particularly in New Mexico. I think there is no one in the Congress who has done more to try and bring this issue to the attention of the public, as well as proposing decent solutions to it, than the gentleman from New Mexico.

I would also like to thank my colleague, the gentleman from Wisconsin [Mr. SENSENBRENNER], for importuning

all of us to move the bill of the gentleman from New Mexico [Mr. SCHIFF] along.

Let me say that we all know the awareness of drunk driving has grown dramatically in the past decade. We know, my children know that friends do not let friends drive drunk.

With this new awareness, drunk driving deaths have been substantially reduced. But we can still do much more.

Drunk drivers continue to kill some 17,000 people a year, injure a million more. So we have to continue our education efforts, and we have to continue our efforts at tough law enforcement. One without the other will not work.

We have seen that this is one area in which both efforts pay off dramatically. There are literally, because we have worked on this before, thousands and thousands of people, tens of thousands of families that have a loved one alive who might have been dead had so many in America not done what we can to limit the scourge.

This bill continues in that effort. It will allow the States to use existing grant funds to fight drunk driving.

I underline to my colleagues that it does not increase grant amounts. It simply gives the States more flexibility in using the money. That is what America is all about. As Brandeis said, the States are the laboratories in which we learn what is best to do these kinds of things.

I compliment the gentleman from New Mexico [Mr. SCHIFF] on his excellent bill and hope it will move quickly through the House and Senate and be signed by the President.

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

Mr. SCHUMER. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding to me.

I want to rise in support of the bill and to commend the committee, its distinguished chairman and ranking member, the gentleman from New Mexico [Mr. SCHIFF], and the gentleman from New York [Mr. SCHUMER], for bringing this to the attention of the Congress and to make expanding the role of the States in trying to do more to enforce drunk driving laws.

Mr. Speaker, I am pleased to rise in strong support of H.R. 1385, legislation authorizing the use of formula grants to prosecute DWI cases. I commend my colleague, the gentleman from New Mexico [Mr. SCHIFF], for introducing this worthy legislation, and, I praise the commitment that our Judiciary Committee has shown to the issues that affect our Nation. Under the effective leadership of its distinguished chairman, the gentleman from Texas [Mr. BROOKS], and the ranking minority member, the gentleman from New York [Mr. FISH], the 103d Congress has approved a number of significant legislative initiatives that will positively benefit our Nation.

As we are all aware, those who drive under the influence of alcohol pose a serious threat

to our society. According to many sources, drunk driving is one of America's most serious highway safety problems, resulting in far too many fatalities.

H.R. 1385 will amend the Omnibus Crime Control and Safe Streets Act of 1968, to allow States to use formula grants for the prosecution of persons who are accused of driving under the influence of alcohol. This legislation authorizes no new spending. Instead, this measure allows States to utilize formula grants as they attempt to manage this threatening problem.

I am proud to support H.R. 1385. When one drives under the influence of alcohol, we are all in danger. If the enactment of this law saves only one life, this legislation will have accomplished its goal.

Mr. MINETA. Mr. Speaker, I am in full support of H.R. 1385, which would allow Federal funds to be used for programs to prosecute persons driving while intoxicated and to enforce drunk driving laws.

H.R. 1385 is right in step with the ongoing efforts of the Committee on Public Works and Transportation, which has authorized legislation that provides criteria-based incentive grants to encourage States to adopt and implement programs to reduce alcohol-related fatalities and injuries on our Nation's highways.

The first committee bill to provide incentive grants specifically dealing with the problem of drunk driving was enacted in 1982. Entitled "The Alcohol Traffic Safety Programs Act," this law authorized funds to implement and enforce specified countermeasures which were known to be effective in deterring drinking and driving.

Most recently, the Intermodal Surface Transportation Efficiency Act of 1991 included a section that builds on the 1982 act. Under the Alcohol-Impaired Driving Countermeasures Program, States are eligible for grants if they establish criteria providing for an expedited driver's license suspension or revocation system; an illegal blood alcohol content level for drivers; a roadside checkpoint program; a community-based self-sustaining drunk driving prevention program; an effective system for preventing underage drivers from obtaining alcoholic beverages; and a mandatory minimum imprisonment term.

Together with the efforts of grassroots organizations and State and local governments, these incentive grant programs have had a positive effect in helping to reduce drunk driving fatalities. States that have become eligible for grants under these programs have shown a greater reduction in the number of drunk driving-related fatalities than those that have not.

The proof that drunk driving countermeasures really do work, whether from legislative or grassroots action, can be seen in the results. According to the National Highway Traffic Safety Administration, the proportion of all alcohol-related traffic fatalities declined from 57.2 percent of the total highway deaths in 1982 to 45.1 percent in 1992. Included in that reduction is a 13-percent estimated reduction in fatalities involving underage drivers, which is attributed to minimum drinking age laws. All States, plus the District of Columbia, have enacted 21-year-old minimum-drinking-

age laws, as a result of the committee-sponsored minimum-drinking-age law that was enacted in 1984.

More needs to be done, of course. H.R. 1385 is another, important step in our battle to make our highways safe. I urge its passage, and I commend Chairman BROOKS and the members of the Judiciary Committee for bringing this important measure to the floor.

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

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Texas [Mr. BROOKS] that the House suspend the rules and pass the bill, H.R. 1385.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1152 and H.R. 1385, the two bills just passed.

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

There was no objection.

REAUTHORIZATION OF AMERICAN FOLKLIFE CENTER

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2074) to authorize appropriations for the American Folklife Center for fiscal years 1994, 1995, 1996, and 1997, as amended.

The Clerk read as follows:

H.R. 2074

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

SECTION 1. AUTHORIZATION OF APPROPRIATIONS FOR THE AMERICAN FOLKLIFE CENTER.

Section 8 of the American Folklife Preservation Act (20 U.S.C. 2107) is amended—

(1) by striking out "and" after "September 30, 1992,"; and

(2) by inserting after "September 30, 1993" the following: ", \$1,120,000 for the fiscal year ending September 30, 1994, and \$1,120,000 for the fiscal year ending September 30, 1995".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri [Mr. CLAY] will be recognized for 20 minutes, and the gentleman from Nebraska [Mr. BARRETT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

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

I am pleased to be able to speak on behalf of H.R. 2072, which provides for a 2-year reauthorization of the American

Folklife Center at a freeze level. The center was originally created within the Library of Congress by passage of the American Folklife Preservation Act of 1976. The Subcommittee on Libraries and Memorials and the full House Administration Committee reviewed the center's history, needs, budget, and value of the American people, and voted unanimously to report the reauthorizing legislation before this body today. The bill extends the center's authorization for 2 years, through fiscal year 1995, and it provides funding ceilings which maintain the center at exactly its present budgetary level.

Mr. Speaker, we need to find ways to encourage our fellow citizens to draw strength and a sense of identity from their cultural roots. At the same time, we urgently need to foster a deeper understanding of the cultural traditions of our neighbors. Grassroots cultural traditions have always pointed the way for Americans to express themselves with dignity and creativity, and they have often become a means for cultural sharing that builds a stronger America.

The American Folklife Center is doing its part to preserve our grassroots traditions for future generations to understand and enjoy. This legislation continues the work within a stringent budget, which is fiscally responsible in difficult times. I urge my colleagues to support H.R. 2074, as amended.

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

Mr. BARRETT of Nebraska. Mr. Speaker, I yield myself such time as I may consume. I rise today in support of House Resolution 2074. This legislation authorizes appropriations for the American Folklife Center for fiscal years 1994 and 1995.

The center was established in 1976 and has made continual progress in expanding its collections. The center's success is evident. Approximately 50,000 people visit this remarkable attraction each year. It has become one of the most significant repositories of traditional American culture. The center has become a place where American history, heritage, and way of life have been recorded and preserved. Americans are able to enrich their knowledge about the origins of their country, and record present day culture for posterity.

The center is now beginning research on a major exhibition on African-American gospel music. Notable items that are contained in the center's collection include pioneer cylinder recordings and original recordings of artists from Woodie Guthrie to Jelly Roll Morton. Center programs include the training of individuals on documentation, and the education initiative project, which works with school systems and education centers, promoting the integration of American folklife into the American education system.

Nebraska's own folklorist, Roger Welsch, of CBS "Sunday Morning" fame shared a pleasant story with me regarding a Folklife Center traveling exhibit. Mr. Welsch took the first of the American Folklife Center's old wax cylinder recordings to a nursing home. The recording was of Nebraska's Omaha Indian Tribe. Tribal members in the nursing home were filled with excitement and enthusiasm as they listened to the voices and songs they hadn't heard since childhood.

Ken Burns, who is noted for his "Civil War" series that aired on PBS, frequently utilizes the Folklife Center's resources.

H.R. 2074 would continue funding for the center through 1994 and 1995 at the frozen 1992 and 1993 fiscal year levels of \$1,200,000. This fiscal responsibility exhibited by the Library of Congress, serves the taxpayer by minimizing government spending, while advancing educational and cultural tradition.

Mr. Speaker, I urge my colleagues to support this measure, and I reserve the balance of my time.

□ 1430

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

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

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Missouri [Mr. CLAY] that the House suspend the rules and pass the bill, H.R. 2074, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to authorize appropriations for the American Folklife Center for fiscal years 1994 and 1995."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2074, the bill just passed.

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

There was no objection.

NATURAL HISTORY MUSEUM EAST COURT REAUTHORIZATION

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 779) to continue the authorization of appropriations for the east court of the National Museum of Natural History, and for other purposes.

The clerk read as follows:

S. 779

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

SECTION. 1. NATIONAL MUSEUM OF NATURAL HISTORY.

(a) IN GENERAL.—Section 2 of the Act entitled "An Act to authorize the Board of Regents of the Smithsonian Institution to plan, design, construct, and equip space in the East Court of the National Museum of Natural History building, and for other purposes", approved October 24, 1990 (20 U.S.C. 50 note), is amended by inserting "and succeeding fiscal years" after "1991".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of October 24, 1990.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri [Mr. CLAY] will be recognized for 20 minutes, and the gentleman from Nebraska [Mr. BARRETT] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

Mr. CLAY. Mr. Speaker, I yield 10 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, S. 779 is a simple bill which would continue to authorize appropriations for the east court construction project at the National Museum of Natural History until appropriations are expended. The bill corrects a drafting mistake in the 1990 existing east court law. That law authorizes the Regents of the Smithsonian Institution to plan, design, construct, and equip 80,000 square feet of space in the museum's east court. The Smithsonian is developing plans for use of the space. These plans along with activities planned for the new west court will generate new revenues for the museum.

Mr. BARRETT of Nebraska. Mr. Speaker, I yield myself such time as I may consume.

I rise today, Mr. Speaker, in support of S. 779. This legislation authorizes continued appropriations for the Smithsonian Museum of Natural History, east court. The Museum of Natural History is the largest museum-based natural science and research organization in the world. As such, it plays a pivotal role in educating the 7 million people who pass through its doors annually. In fact, some members of my own staff regularly visit the museum and often comment on how much they learn from each visit. Because of the overwhelming popularity of the museum, it has experienced some overcrowding problems. This legislation will serve to remedy this situation.

The purpose of this bill is to authorize the Smithsonian to plan, design, construct, and equip space in the east court of the Museum of Natural History. Sufficient funds were previously allocated for this project, but due to a mistake in the language of the bill, the funds were not authorized beyond the first fiscal year. The funds previously approved, cannot be used until the au-

thorization is extended. Support of this bill will continue authorization of this worthwhile project.

I urge my colleagues to give their full support to S. 779.

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

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

Mr. Speaker, this bill is necessary because of a drafting error in the original east court legislation. That original legislation, Public Law 101-455, authorized \$30 million for the Smithsonian Board of Regents to plan, design, construct, and equip the east court of the museum. However, there was a technical drafting error in the original legislation. The law only authorized appropriations for fiscal year 1991; but not for succeeding years.

S. 779 therefore is a technical amendment to section 2 of the act, and it simply provides for a continuing authorization for succeeding fiscal years. S. 779, introduced by Senator SASSER, was passed by the Senate on May 28, 1993.

Inasmuch as the legislative history of the original authorization clearly addressed multiyear phasing of this construction project, and funds have already been appropriated for this purpose, I ask that this legislation, making the technical correction, be approved. I urge my colleagues to support S. 779.

Mr. BARRETT of Nebraska. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin [Mr. PETRI].

Mr. PETRI. Mr. Speaker, I thank my colleague, the gentleman from Nebraska, for yielding time to me.

Mr. Speaker, I rise in support of S. 779, a bill to continue the authorization of appropriations for the east court of the National Museum of Natural History, and for other purposes.

In 1990, Congress enacted Public Law 101-455, an authorization to develop the east court of the Museum of Natural History. The language allowed expenditures only in fiscal year 1991. This bill would allow the Smithsonian to spend funds in subsequent years. S. 779 passed the Senate on May 28, 1993.

The purpose of this project is to develop space for storage and personnel of the Natural History Museum. This is part of an overall renovation of the museum, which is over 70 years old. Employees, records, and other material will be housed for up to 8 years in this newly constructed space, while major renovation and improvement takes place, including replacement of all systems, removal of asbestos, modernizing facilities, and the like.

Once these renovations are complete, the east court will become a permanent part of the museum's support functions, and will alleviate the overcrowding in this facility that has absorbed 292 new employees over the last 20 years.

I support this legislation, and urge my colleagues to pass this needed technical amendment.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. CLAY] that the House suspend the rules and pass the Senate bill, S. 779.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 779, the Senate bill just passed.

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

There was no objection.

PERMANENT AUTHORITY FOR QUARTERLY FINANCIAL REPORT PROGRAM

Mr. SAWYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2608) to make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program.

The Clerk read as follows:

H.R. 2608

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective as of September 30, 1993, section 4 of Public Law 97-454 (13 U.S.C. 91 note) is amended—

- (1) by striking subsection (b); and
- (2) by redesignating subsection (c) as subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio [Mr. SAWYER] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. PETRI] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Ohio [Mr. SAWYER].

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

Mr. Speaker, I am pleased to bring to the floor H.R. 2608, to make permanent the authority of the Secretary of Commerce to conduct the Quarterly Financial Report [QFR] Program. I am pleased to be the sponsor of this legislation, along with the ranking minority member of the full committee, Congressman JOHN MYERS.

The data produced through the Quarterly Financial Report Program are essential for calculating key Government measures of the national economy, including gross domestic product estimates and flow of funds accounts. QFR

data tell us how our companies are faring economically. Are they making a profit or sustaining losses? We need to know that information in order to measure the soundness of our economy.

The QFR was establishing 45 years ago as a permanent program under the authority of the Federal Trade Commission. In 1983, Congress transferred authority to conduct the QFR Program to the Department of Commerce. At that time, Congress inserted a sunset provision on the QFR, to ensure that the program would continue to work under the Commerce Department as well as it had under the FTC. I think it does.

Congress reauthorized the QFR Program 3 years ago by unanimous consent. I think that the program is working well enough, and is useful enough, to make it permanent again.

H.R. 2608 will not increase funding requirements for the QFR Program. The QFR Program cost \$2 million in fiscal year 1993. I think that is a modest investment to make for data that are fundamental to sound economic decisions. Furthermore, the QFR is the sole source of the economic data it produces.

I recognize that surveys impose a burden on those who must respond. The committee will continue to watch the Commerce Department closely to ensure that its data collection activities do not place an undue burden on businesses, particularly on small companies that have fewer resources to devote to survey response.

The Quarterly Financial Report Program is the Nation's most current and comprehensive source of data on corporate financial activity. H.R. 2608 will ensure the accuracy and continuity of principal economic indicators. Those indicators are the cornerstone of our ability to measure current economic conditions and to plan for our future economic well-being. I urge my colleagues to support H.R. 2608.

□ 1440

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

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

Mr. Speaker, H.R. 2608 would permanently authorize the Secretary of Commerce to conduct the Quarterly Financial Report Program. The QFR Program is the most current and comprehensive indicator of U.S. corporate financial activity. It provides essential financial data for the calculation of key Government measures of U.S. economic performance such as estimates of the gross domestic product and flow of funds accounts. In short, it is an important economic tool for both business and the Government.

I recognize that surveys such as this are often a burden for those smaller businesses who must respond. However, I note that over the past several years

the Commerce Department has taken substantial steps to minimize these reporting requirements. In addition, the committee report which accompanies this legislation specifically directs the Secretary to minimize these burdens to the extent possible. I support this goal, and I will do everything possible to ensure that it is met.

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

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

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Ohio [Mr. SAWYER] that the House suspend the rules and pass the bill, H.R. 2608.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on H.R. 2608, the bill just passed.

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

There was no objection.

FEDERAL PHYSICIANS COMPARABILITY ALLOWANCE ACT OF 1978 EXTENSION

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2685) to amend title 5, United States Code, to extend the Federal Physicians Comparability Allowance Act of 1978, and for other purposes.

The Clerk read as follows:

H.R. 2685

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

SECTION 1. EXTENSIONS.

(a) EXTENSION OF AUTHORITY.—

(1) AMENDMENT TO TITLE 5, UNITED STATES CODE.—The second sentence of section 5948(d) of title 5, United States Code, is amended to read as follows: "No agreement shall be entered into under this section later than September 30, 1997, nor shall any agreement cover a period of service extending beyond September 30, 1999."

(2) EXTENSION OF REPEALER.—Section 3 of the Federal Physicians Comparability Allowance Act of 1978 (5 U.S.C. 5948 note) is amended by striking "September 30, 1995" and inserting "September 30, 1999".

(3) ADVANCE APPROPRIATIONS REQUIRED.—Any service agreement entered into on or after the date of the enactment of this Act pursuant to section 5948 of title 5, United States Code, as amended by paragraph (1), shall be effective only to such extent or in

such amounts as are provided in advance in appropriation Acts.

(4) RULE OF CONSTRUCTION.—The amendments made by this subsection shall not be construed to authorize additional or supplemental appropriations for the fiscal year ending September 30, 1993.

(b) TECHNICAL AMENDMENTS.—

(1) AMENDMENT TO PUBLIC LAW 100-140.—Effective as of October 27, 1987, section 1 of Public Law 100-140 (101 Stat. 830) is amended by adding at the end the following:

"(c) EXTENSION OF REPEALER.—Section 3 of the Federal Physicians Comparability Allowance Act of 1978 (5 U.S.C. 5948 note) is amended by striking 'September 30, 1989' and inserting 'September 30, 1992'."

(2) AMENDMENT TO PUBLIC LAW 101-420.—Effective as of October 13, 1990, Public Law 101-420 (104 Stat. 908) is amended—

(A) by inserting "(a)" after "That"; and

(B) by adding at the end the following:

"(b) Section 3 of the Federal Physicians Comparability Allowance Act of 1978 (5 U.S.C. 5948 note) is amended by striking 'September 30, 1992' and inserting 'September 30, 1995'."

(c) ORDER OF AMENDMENTS.—For purposes of applying the amendments made by this section—

(1) the provisions of subsection (b)(1) shall be treated as having been enacted immediately before the provisions of subsection (b)(2); and

(2) the provisions of subsection (b)(2) shall be treated as having been enacted immediately before the provisions of subsection (a).

SEC. 2. REPORTING REQUIREMENT.

(a) IN GENERAL.—Section 5948 of title 5, United States Code, is amended by adding at the end the following:

"(j)(1) Not later than June 30 of each year, the President shall submit to each House of Congress a written report on the operation of this section. Each report shall include, with respect to the year covered by such report, information as to—

"(A) which agencies entered into agreements under this section;

"(B) the nature and extent of the recruitment or retention problems justifying the use of authority by each agency under this section;

"(C) the number of physicians with whom agreements were entered into by each agency;

"(D) the size of the allowances and the duration of the agreements entered into; and

"(E) the degree to which the recruitment or retention problems referred to in subparagraph (B) were alleviated under this section.

"(2) In addition to the information required under paragraph (1), the last report due under this subsection before the expiration of the authority to enter into agreements under this section shall include—

"(A) recommendations as to whether or not such authority should be continued beyond September 30, 1997, and, if so, by what period of time; and

"(B) the reasons for those recommendations."

"(b) EFFECTIVE DATE.—The first report under section 5948(j) of title 5, United States Code, as amended by subsection (a), shall be due not later than June 30, 1994.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia [Ms. NORTON] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. PETRI] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia [Ms. NORTON].

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

Mr. Speaker, the Federal Physicians Comparability Act of 1978 is scheduled to sunset on September 30, 1993. The act permits Federal agencies experiencing problems recruiting and retaining physicians to enter into service agreements with physicians providing for special pay allowances of up to a maximum of \$14,000 for those with less than 2 years of Government experience, and \$20,000 for those with more service.

H.R. 2685 reauthorizes the act for an additional 4 years, makes needed technical corrections in the 1970 and 1990 act reauthorizing the allowances, and requires the President to submit an annual report to the Congress on the agencies' use of physicians' comparability allowances.

The Subcommittee on Compensation and Employee Benefits held a hearing on the reauthorization of the act in June 1993. We received testimony from the OPM Director, Dr. James King, and the Federal Physicians Association president, Dr. Charles Sneiderman.

Dr. King indicated the program is operating successfully and needs no modifications. He reported in fiscal year 1992 some 3,000 physicians were eligible under the program, and one-half of these actually received allowances. The average allowance paid in fiscal year 1992 was a little over \$14,000.

Director King pointed out that agencies still need the additional financial incentive of physicians' comparability allowances to compete successfully for the physicians they need. Director King recommended that the allowance authority be extended for another 4 years. I believe that the record supports such an extension.

Moreover, I believe that such an extension and stability in this program is especially necessary now when we are about to receive the President's health care reform legislation.

We are requiring that detailed information on each agency's use of allowances be provided to our committee so that we can carefully monitor the need for these expenditures.

On August 4, 1993, the Committee on Post Office and Civil Service unanimously reported this bill out of committee. I urge approval of H.R. 2685.

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

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

Mr. Speaker, it is an honor for me to speak in favor of H.R. 2685, the Extension of the Federal Physicians Comparability Allowance Act [PCA] of 1978.

At the hearing, the Office of Personnel Management testified that it supports the measure. The PCA gives the Government the flexibility to recruit Federal physicians and retain out-

standing physicians already serving in Government. The Secretary of Health and Human Services also endorses the extension of the PCA, saying that "the PCA has been the cornerstone provision essential to the recruitment and retention of physicians in the Department of Health and Human Services, but particularly within the Public Health Service." The Director of the Federal Bureau of Prisons submitted compelling testimony and statistics backing the need to extend the Physicians Comparability Act in order to recruit and retain physicians in the 71 Federal correctional facilities.

Federal physicians contribute to every aspect of our Nation's health care system, including research and development of drugs, vaccines, medical and surgical devices. It is essential that the Federal Government offer these doctors a salary competitive with the private sector.

Even with the applicability of the PCA, Federal physicians earn significantly less than the nationwide mean income for physicians in the private sector. I urge my colleagues to support H.R. 2685.

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

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

Mrs. MORELLA. Mr. Speaker, it is an honor for me to speak in favor of H.R. 2685, the Extension of the Federal Physicians Comparability Allowance Act [PCA] of 1978.

I have worked in support of the Physicians Comparability Act for some years, including Public Law 101-240 which extended the act to September 30, 1993. I also introduced H.R. 1535 this term to extend the act for 4 years. I thank the chair of the Subcommittee on Compensation and Employee Benefits for holding a hearing on the bill on June 9 of this year and for incorporating portions of the measure into H.R. 2685 of which I am an original cosponsor, and which is before us today. I am also pleased that this legislation was scheduled in such a timely manner.

At the hearing, the Office of Personnel Management testified that it supports the measure. The PCA gives the Government the flexibility to recruit Federal physicians and retain outstanding physicians already serving in Government. The Secretary of Health and Human Services also endorses the extension of the PCA, saying that "the PCA has been the cornerstone provision essential to the recruitment and retention of physicians in the Department of Health and Human Services, but particularly within the Public Health Service." The Director of the Federal Bureau of Prisons submitted compelling testimony and statistics backing the need to extend the Physicians Comparability Act in order to recruit and retain physicians in the 71 Federal correctional facilities.

Federal physicians contribute to every aspect of our Nation's health care system, including research and development of drugs, vaccines, medical and surgical devices. It is essential that the Federal Government offer

these doctors a salary competitive with the private sector.

Even with the applicability of the PCA, Federal physicians earn significantly less than the nationwide mean income for physicians in the private sector. We must continue to support incentives to recruit and retain physicians in the Federal sector.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia [Ms. NORTON] that the House suspend the rules and pass the bill, H.R. 2685.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL EMPLOYEES LEAVE SHARING AMENDMENTS ACT OF 1993

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1130) to provide for continuing authorization of Federal employee leave transfer and leave bank programs, and for other purposes as amended.

The Clerk read as follows:

S. 1130

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 "Federal Employees Leave Sharing Amendments Act of 1993".

SEC. 2. REPEAL OF TERMINATION PROVISION.

Section 2(d) of the Federal Employees Leave Sharing Act of 1988 (5 U.S.C. 6331 note) is repealed, effective as of October 30, 1993.

SEC. 3. ADVANCED LEAVE NOT TO BE CONSIDERED IN DETERMINING WHETHER ANY PAID LEAVE IS AVAILABLE.

(a) IN GENERAL.—Sections 6331(4) and 6361(6) of title 5, United States Code, are each amended by striking "leave," and inserting "leave (disregarding any advanced leave)."

(b) TECHNICAL CORRECTION.—Section 6331(4) of title 5, United States Code, is amended by inserting "the term" after "(4)".

SEC. 4. ACCRUAL OF LEAVE.

Section 6337(c) of title 5, United States Code, is amended to read as follows:

"(c)(1) Any annual or sick leave accrued by an employee under this section shall be transferred to the appropriate leave account of such employee under subchapter I, and shall be available for use—

"(A) as of the beginning of the first applicable pay period beginning after the date on which the employee's medical emergency terminates as described in paragraph (1) or (2) of section 6335(a); or

"(B) if the employee's medical emergency has not yet terminated, once the employee has exhausted all transferred leave made available to such employee under this subchapter.

"(2) In the event that the employee's medical emergency terminates as described in section 6335(a)(3)—

"(A) any leave accrued but not yet transferred under this section shall not be credited to such employee; or

"(B) if there remains, as of the date the emergency so terminates, any leave which became available to such employee under paragraph (1)(B), such leave shall cease to be available for any purpose.

"(d) Nothing in this section shall be considered to prevent, with respect to a continuing medical emergency, further transfers of leave for use after leave accrued under this section has been exhausted by the employee."

SEC. 5. EMPLOYEE PARTICIPATION IN LEAVE BANK AND LEAVE TRANSFER PROGRAMS.

(a) AUTHORITY TO PARTICIPATE IN BOTH PROGRAMS.—

(1) IN GENERAL.—Section 6373 of title 5, United States Code, is amended to read as follows:

"§ 6373. Authority to participate in both programs

"(a) The Office of Personnel Management shall prescribe regulations under which an employee participating in a leave bank program under this subchapter may, subject to such terms or conditions as the Office may establish, also make or receive donations of leave under subchapter III.

"(b) Notwithstanding any provision of section 6337 or 6371, if an employee uses leave transferred to such employee under subchapter III and leave made available to such employee under this subchapter in connection with the same medical emergency, the maximum number of days of annual leave and sick leave, respectively, which may accrue to such employee in connection with such medical emergency shall be the same as if all of that leave had been made available to such employee under this subchapter."

(2) TECHNICAL AMENDMENT.—The table of sections for chapter 63 of title 5, United States Code, is amended by striking the item relating to section 6373 and inserting the following:

"6373. Authority to participate in both programs."

(b) ELIMINATION OF PROVISION TREATING LEAVE BANK PROGRAM AS A DEMONSTRATION PROJECT.—Section 6362 of title 5, United States Code, is amended—

- (1) by striking subsection (b); and
- (2) in subsection (a) by striking "(a)".

SEC. 6. EFFECTIVE DATE.

Except as provided in section 2, this Act and the amendments made by this Act shall take effect as of the 120th day after the date of the enactment of this Act or such earlier date as the Office of Personnel Management may by regulation prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia [Ms. NORTON] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. PETRI] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia [Ms. NORTON].

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

Mr. Speaker, S. 1130, approved by the Senate on July 14, 1993, reauthorizes the Federal Employees Leave Sharing Act of 1978 which is scheduled to sunset on October 31, 1993.

S. 1130 also makes several changes in current law necessary to implement the recommendations made by the Office of Personnel Management in its re-

port to Congress on the Federal Employees Leave Sharing Act of 1988, Public Law 100-566.

First, the bill makes both the leave transfer and the leave banking programs permanent. Second, S. 1130 provides that advanced leave is not to be considered when determining eligibility for donated leave. Third, the bill eliminates the requirement that leave accrued during the medical emergency be set aside until the medical emergency is terminated.

Finally, the bill permits employees to participate in both the leave transfer and the leave bank program.

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The amendment is in the nature of a substitute to S. 1130, adopted by the Subcommittee on Compensation and Employee Benefits on July 22, and by the Committee on Post Office and Civil Service on August 4, 1993. It primarily makes technical changes in S. 1130 needed to clarify some of the bill's provisions. There are, however, a few additional provisions which, while consistent with OPM's recommendations, make changes which were not contained in the Senate-passed S. 1130. The first of these changes maintains a current limit on the accrual of the annual or sick leave during a medical emergency to 5 days whether the employee participates in either a leave transfer program or a leave bank program or both.

The second change strikes sections 6362(b) of title V, which established the leave bank program as a demonstration project. This provision no longer has relevance, of course.

Finally, section 6 gives OPM needed flexibility to delay the effective date of this legislation for up to 120 days to allow for promulgation of new regulations.

At the subcommittee our hearing on the reauthorization of the Leave Sharing Act on May 19, 1993, the GAO and several employee organizations expressed strong support for OPM's recommendations. The need for the changes OPM recommends is supported by the record we have established.

In addition, no cost is anticipated, because the costs involved will come out of appropriated funds. Indeed, this bill is likely to save money. The trend reveals that higher paid employees donate to lower paid employees with pay-out by the Government at the salary rate of the lower paid employees.

At a time when there has been near universal praise for the recently released national performance review report, this bill moves in the direction this report advocates.

The report notes that in excess of 96 percent of Federal employees with dependent care needs met them through the leave sharing programs. I am not surprised that the NPR report urges the Congress to reauthorize the Federal Employee Leave Sharing Act.

I ask the House to do so as well and pass S. 1130, Mr. Speaker.

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

Mr. Speaker, I urge my colleagues to act favorably on the measure before us, S. 1130. I am pleased that this bill has moved through the legislative process so quickly.

The 5-year leave sharing demonstration project was highly successful. The program is due to expire at the end of October this year and it is appropriate that we act on the measure now. This program permits Federal employees to donate their annual leave either into a leave bank or directly to Federal employees who have exhausted their accumulated sick and annual leave because of medical emergencies. The donated leave may be used for the recipient employee during the period of their own illness or the illness of a family member.

I hope that all States and large industries will implement the leave sharing and leave bank concept.

S. 1130 will reauthorize the leave bank and leave sharing program permanently. This is another humanitarian, family friendly bill which deserves swift passage.

Mr. WOLF. Mr. Speaker, I rise in support of S. 1130, legislation that permanently reauthorizes the Federal Employees Leave Sharing Act of 1988 (Public Law 100-566). This measure makes both the leave transfer and leave bank programs permanent, thereby allowing Federal employees to donate annual leave to coworkers who have used up their annual leave and sick leave as a result of a prolonged illness. When experiencing severe personal or medical problems, sometimes the gift of time is exactly what the doctor ordered.

I commend the managers of this legislation for bringing it to the floor so quickly. Both the leave transfer and leave bank proposals are highly successful and merit permanent continuation. The leave transfer program allows employees to donate their annual leave directly to other Federal employees and the leave bank program allows employees to donate their annual leave to a leave bank for use by any member of the bank stricken by a medical emergency. When time is needed for a full recovery, this program is a tremendous aid.

What we are doing through these leave sharing programs is merely encouraging the generous behavior of our Federal employees. I learned of the leave sharing idea after a constituent, Robert Hague, wrote me about his desire to share some of his leave with a blind colleague, Barbara DiPietrantonio, who, as a relatively new employee, had not accrued enough leave to cover time needed to train a new guide dog. Barbara's ability to carry out her job effectively is dependent of the mobility she has achieved through reliance on a guide dog. Without the generosity of Mr. Hague, Barbara would have had to take annual leave or leave without pay to train with her new dog. Leave sharing removes that financial impediment to proper treatment of a sickness, physical handicap, or other problem whose proper

treatment depends on the healing power of time.

In 1988, the Congress approved my amendment to the fiscal year 1988 continuing appropriations bill creating a 1-year Government-wide leave sharing program for Federal employees who were facing medical or family emergencies. Congress has extended this program since then, and, after studying the program and finding that it has been highly successful, we are now prepared to extend this authority permanently.

I am a strong advocate of programs that will help strengthen the families of our Federal employees and support this and other innovative measures that improve the working environment for Federal workers. Also, as the Nation's largest employer, this measure may serve as a model for State governments and private industry to follow when designing leave programs for ill employees. I encourage Members to support this permanent and long-awaited extension of leave sharing authority.

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

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

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from the District of Columbia [Ms. NORTON] that the House suspend the rules and pass the Senate bill, S. 1130, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

FEDERAL EMPLOYEES HUMANITARIAN LEAVE ACT OF 1993

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2751) to amend title 5, United States Code, to provide for the granting of leave to Federal employees wishing to serve as bone-marrow or organ donors, and to allow Federal employees to use sick leave for purposes relating to the adoption of a child, as amended.

The Clerk read as follows:

H.R. 2751

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 "Federal Employees Humanitarian Leave Act of 1993".

SEC. 2. AVAILABILITY OF PAID LEAVE TO SERVE AS A BONE-MARROW OR ORGAN DONOR.

(a) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

"§ 6327. Absence in connection with serving as a bone-marrow or organ donor

"(a) An employee in or under an Executive agency is entitled to leave without loss of or reduction in pay, leave to which otherwise entitled, credit for time or service, or performance or efficiency rating, for the time necessary to permit such employee to serve as a bone-marrow or organ donor.

"(b) Not to exceed 7 days of leave may be used under this section by an employee in a calendar year.

"(c) The Office of Personnel Management may prescribe regulations for the administration of this section."

(b) TECHNICAL AMENDMENTS.—(1) Section 6129 of title 5, United States Code, is amended by inserting "6327," after "6326,".

(2) The table of sections for chapter 63 of title 5, United States Code, is amended by adding after the item relating to section 6326 the following:

"6327. Absence in connection with serving as a bone-marrow or organ donor."

SEC. 3. USE OF SICK LEAVE IN ADOPTING A CHILD.

(a) IN GENERAL.—Section 6307 of title 5, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following:

"(c) Sick leave provided by this section may be used for purposes relating to the adoption of a child."; and

(3) in subsection (d) (as so redesignated by paragraph (1)), by inserting "or for purposes relating to the adoption of a child," after "illment,".

(b) TECHNICAL AMENDMENT.—Section 6129 of title 5, United States Code, is amended by striking "6307 (a) and (c)," and inserting "6307 (a) and (d),".

(c) ELECTION TO HAVE ANNUAL LEAVE RESTORED.—The Office of Personnel Management shall prescribe regulations under which any employee who used or uses annual leave for an adoption-related purpose, after September 30, 1991, and before the date as of which sick leave first becomes available for such purpose as a result of the enactment of this section, may, upon appropriate written application, elect to have such employee's leave accounts adjusted to reflect the amount of annual leave and sick leave, respectively, which would remain had sick leave been used instead of all or any portion of the annual leave actually used, as designated by the employee.

(2) An application under this subsection may not be approved unless it is submitted—

(A) within 1 year after the date of the enactment of this Act or such later date as the Office may prescribe;

(B) in such form and manner as the Office shall require; and

(C) by an individual who is an employee as of the time of application.

(3) For the purpose of this subsection, the term "employee" has the meaning given such term in section 6301(2) of title 5, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from the District of Columbia [Ms. NORTON] will be recognized for 20 minutes, and the gentleman from Wisconsin [Mr. PETRI] will be recognized for 20 minutes.

The Chair recognizes the gentleman from the District of Columbia [Ms. NORTON].

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

Mr. Speaker, H.R. 2751 allows Federal employees to use accrued sick leave for purposes related to the adoption of a child and to use up to 7 days of administrative leave for the purpose of serving as a bone-marrow or organ donor. During the 102d Congress, the House passed H.R. 2675, a bill identical to H.R. 2751 which is before us today.

But the Senate took no action on the bill during the remainder of the 102d Congress.

H.R. 2751 is important legislation to Federal workers and is emblematic of the action that a large, modern, and concerned employer in our country, especially the Federal Government, should take.

The bill enables adoptive parents in the Federal work force to use accrued sick leave, an option now reserved for biological parents. In addition, by allowing up to 7 days of administrative leave, or the time necessary to serve as an organ or bone-marrow donor, the Federal Government is providing an incentive to Federal employees to volunteer to be donors and thereby to increase the size and the diversity of the donor registry.

With 3 million employees of every race and ethnicity in the States of the Federal Union, the Federal employees, by themselves, could make a difference in raising both the level and the effectiveness of the vital donor registry.

The provision of this bill allowing adoptive parents the same rights as biological parents in the use of sick leave is overdue.

We are experiencing a child crisis, in the number of babies and youngsters victimized by the absence of stable parental care. We must make adoption easier and look for innovative incentives to encourage individuals of every background to offer themselves as adoptive parents. The use of accrued sick leave for this purpose places the Federal Government's imprimatur on adoption and helps pave the way for generous employees who want to share their homes and their lives with an adopted child.

The Committee on Post Office and Civil Service passed H.R. 2751 unanimously. I urge the House to do the same and adopt H.R. 2751.

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

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

Mr. Speaker, I wish to commend the gentleman from New York [Mr. ACKERMAN] for introducing the Federal Employees Humanitarian Leave Act of 1993. I would also like to recognize our colleague from Virginia [Mr. WOLF], who has been a constant and ardent supporter of family friendly policies for Federal employees.

H.R. 2751 would change the current law regarding utilization of leave for

bone marrow and organ donations. Presently, Federal employees must use annual leave in order to donate to a recipient. Organ and bone marrow donors are making a supreme sacrifice so that others may enjoy a better quality of life. It is appropriate that we broaden the leave provision to enable Federal employees to be granted 7 days of paid leave so that donors will not have to deplete their accumulated sick or annual leave. This legislation protects the employee's—donor's—leave, credit for time in service, and the employee's performance or efficiency rating.

This legislation will also make permanent the provision to grant sick leave for the purpose of adopting a child. It would give adoptive parents the same benefits which are currently extended to biological parents for family building. Adoptive parents face innumerable hours in the process of adoption, such as court dates, traveling to pick up the child, doctors visits, etc. It is only fair that adoptive parents are given the same benefits as biological parents.

I urge my colleagues to support H.R. 2751.

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Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. ACKERMAN].

Mr. ACKERMAN. Mr. Speaker, I thank the gentlewoman from the District of Columbia for moving this legislation forward so efficiently.

Mr. Speaker, the Federal Employees Humanitarian Leave Act of 1993, H.R. 2751, will make it easier for Federal employees to adopt a child using sick leave, and will provide additional leave for those who wish to serve as organ donors.

In nearly identical form, this bill was introduced by myself, Mr. HOYER, Mr. WOLF, Ms. BYRON, and Mr. YOUNG, and passed in the 102d Congress. This, however, was never considered on the Senate floor.

The Congressional Budget Office has declared this legislation to be budget neutral.

Once again, this bill suggests the following two benefits for Federal employees.

The first benefit will enable Federal employees to use accrued sick leave in order to adopt a child. Under current law, Federal employees can only use annual leave for adoption purposes.

H.R. 2751 would allow Federal employees to take sick leave and/or annual leave to adopt a child.

There has already been a successful pilot program that was included by Mr. HOYER in the Treasury, Postal Service, and General Government Appropriations Act of 1991, which authorized the use of sick leave for the purposes of adopting a child.

As a result of this experimental adoption program, 524 employees utilized

approximately 28,000 hours of sick leave to adopt a child in 1991. This amounted to an average of 53 hours, or almost 7 days per employee. Both male and female employees utilized the program almost equally.

The program is a proven success and promotes a humanitarian concept that we, as legislators need to promote. This is an issue of family values that all Members, regardless of political philosophy, can support.

The second benefit for Federal employees provided by this bill will be an addition of up to 7 days of administrative leave per year for those who wish to donate bone marrow or to donate an organ.

This leave will be added to any other leave to which the employee would be entitled. I believe this benefit will provide an additional incentive for bone marrow or organ donors to help save a life.

Under current law, Federal employees can only use their own sick or annual leave in order to donate an organ or bone marrow.

We need not penalize our employees by taking away their leave as a result of their willingness to contribute to the health and well-being of others.

I strongly believe that the organ donor provision will help alleviate any doubts donors may have about whether or not to utilize their personal, sick, and annual leave for another's benefit.

Additionally, it will encourage people to give of themselves, literally to give of themselves to help another live.

On behalf of myself, Mr. HOYER, Mr. YOUNG, Mr. HYDE, and Mrs. MORELLA, we ask our colleagues to join us today in support of a bill that is budget neutral, will provide stable homes for adopted children, and will save lives.

If you have been waiting for a bill that is pro-choice, pro-life and pro-family, this is it.

Mr. WOLF. Mr. Speaker, as an original co-sponsor of H.R. 2751, I rise in strong support of the Federal Employees Humanitarian Leave Act of 1993 and commend the chairman and ranking member for bringing this important legislation to the floor in an expeditious manner. Since the passage of my amendment included on the Treasury, Postal Service, and General Government Appropriations Act for fiscal year 1991 (Public Law 101-509), providing for a temporary experimental program authorizing the use of sick leave by Federal employees for purposes relating to adoptions, all indications are that this program works well and should be made permanent.

The adoption process is often long, tiresome, and expensive. This legislation should help to ease the adoption process for Federal employees.

The American family has never before been under so much stress and there is an increasing number of parentless children. Adoption provides one of the best ways to ensure that children are reared in good homes by loving families. Adoption is a very personal decision for a family, one that should be made with the

best interests of the child and family in mind. By making sick leave available to adopting parents, this legislation will help alleviate some of the time and financial impediments to adoption and signify the Federal Government's commitment to encouraging adoption.

Just as biological parents are allowed to use sick leave for prenatal doctor visits, adoptive parents will now be able to use sick leave instead of annual leave to make all of the necessary, and often expensive, arrangements with attorneys and social workers as part of the adoption process. In addition, this legislation makes sick leave available for post-placement adoption purposes as well as pre-placement thereby allowing parents some quality time to become acquainted and bond with their adopted child. This is one small step in support of families.

As the largest employer in the Nation, the Federal Government should play a key role in setting standards for adoption policy by leading through example. I have worked on many family friendly work initiatives in the Federal Government to advance the interests of the American family. Programs such as flexitime, job sharing, leave sharing, telecommuting, and child care at Federal facilities all help foster and promote strong families. These family friendly programs allow the Federal Government to attract and retain a high quality, high performance, and healthy work force. By allowing Federal workers to take sick leave instead of annual leave for the time needed to complete the adoption, the Federal Government becomes a model for all employers to follow.

H.R. 2751 would also allow Federal employees to take up to 7 days of administrative leave, rather than sick leave, to volunteer to be bone marrow or organ donors. This program will help in a very worthy cause—saving lives. Bone marrow transplants are an effective treatment for fatal blood disorders and cancers including leukemia, aplastic anemia, and severe immunodeficiency. While a cure is available, it is very difficult to find compatible donors. This proposal will help alleviate that problem.

This small incentive to Federal workers to be tested to be bone marrow donors could greatly increase the size and diversity of the donor registry. Many deaths can be avoided if only a compatible donor can be found, and this small measure will encourage Federal workers to register as a bone marrow or organ donor which may help save lives.

Mr. Speaker, this legislation is both life enhancing and life saving, and it demonstrates the Federal Government's commitment to being a responsive and caring employer. I would like to express my appreciation to Representative ACKERMAN for introducing this legislation, Delegate NORTON, the chairwoman of the House Post Office and Civil Service Subcommittee on Compensation and Employee Benefits, and Representative MORELLA, the ranking minority member, and all the members of the committee for their efforts in moving this important legislation forward.

I enthusiastically urge Members to support passage of H.R. 2751. It is good policy for the Government, it helps those in desperate need of treatment, and it works to strengthen the cornerstone of our Nation—the American family.

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

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

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from the District of Columbia [Ms. NORTON] that the House suspend the rules and pass the bill, H.R. 2751, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PERFORMANCE MANAGEMENT AND RECOGNITION SYSTEM TERMINATION ACT

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3019) to amend title 5, United States Code, to provide for a temporary extension and the orderly termination of the performance management and recognition system, and for other purposes.

The Clerk read as follows:

H.R. 3019

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 "Performance Management and Recognition System Termination Act".

SEC. 2. TEMPORARY EXTENSION.

Effective as of September 30, 1993, section 5410 of title 5, United States Code, is amended by striking "September 30, 1993" and inserting "October 31, 1993".

SEC. 3. TERMINATION PROVISIONS.

(a) IN GENERAL.—

(1) REPEAL.—Chapter 54 of title 5, United States Code, is repealed.

(2) ANALYSIS.—The analysis for part III of title 5, United States Code, is amended by striking the item relating to chapter 54.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 5, UNITED STATES CODE.—Title 5, United States Code, is amended—

(A) in section 3372(d) by striking "additional step-increases, merit pay, and cash awards, as defined in chapters 53 and 54" and inserting "and additional step-increases, as defined in chapter 53";

(B)(i) by striking section 4302a; and

(ii) in the analysis for chapter 43 by striking the item relating to section 4302a;

(C) by amending subparagraph (A) of section 4501(2) to read as follows:

"(A) an employee as defined by section 2105; and";

(D) in section 4502(e) by striking paragraph (1) and by striking "(2)";

(E) in section 5302—

(i) in paragraph (8)—

(I) in subparagraph (A) by inserting "and" after the semicolon; and

(II) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B); and

(ii) in paragraph (9) by striking "applies (including any position under the perform-

ance management and recognition system)." and inserting "applies.";

(F) in section 5332(a)(1) by striking ", except an employee covered by the performance management and recognition system established under chapter 54.";

(G) in section 5334—

(i) in subsection (c)(2) by striking "step," and all that follows through "any dollar amount," and inserting "step"; and

(ii) by striking subsection (f) and redesignating subsection (g) as subsection (f);

(H) in section 5335—

(i) in subsection (e) by striking "covered by the performance management and recognition system established under chapter 54 of this title, or,"; and

(ii) by striking subsection (f) and redesignating subsection (g) as subsection (f);

(I) in section 5336(c) by striking "covered by the performance management and recognition system established under chapter 54 of this title, or,";

(J) in section 5361(5) by striking all that follows "of this chapter," and inserting "or a special occupational pay system under subchapter IX,";

(K) in section 5362(c)—

(i) in the matter before paragraph (1) by striking "chapters 54 and 55 of this title, retirement and life insurance under chapters 83 and 87" and inserting "chapter 55 of this title, retirement and life insurance under chapters 83, 84, and 87";

(ii) by inserting "or" at the end of paragraph (2); and

(iii) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3);

(L) in section 5363(c)(2) by striking "chapter 51, 53, or 54" and inserting "chapter 51 or 53";

(M) in section 5948(g)(1) by striking subparagraph (C) and redesignating subparagraphs (D) through (L) as subparagraphs (C) through (K), respectively; and

(N) in section 8473(b)(8) by striking "individuals subject to the Performance Management and Recognition System under chapter 54 of this title;" and inserting "supervisors and management officials (as defined by section 7103(a))";

(2) FEPCA.—Section 302(b)(1) of the Federal Employees Pay Comparability Act of 1990 (5 U.S.C. 5304 note) is amended by striking "(including an employee covered by the performance management and recognition system)".

(3) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended—

(A) in section 1602 by inserting ", as in effect on October 31, 1993" after "section 5401 of title 5";

(B) in section 1732(b)(1)(A) by striking "Schedule (including any employee covered by chapter 54 of title 5)." and inserting "Schedule."; and

(C) in section 1733(b)(1)(A)(i) by striking "Schedule (including an employee covered by chapter 54 of title 5)," and inserting "Schedule.".

(4) TITLE 31, UNITED STATES CODE.—Section 731(b) of title 31, United States Code, is amended by inserting ", as in effect on October 31, 1993" after "section 5401 of title 5".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of November 1, 1993.

SEC. 4. TREATMENT OF EMPLOYEES COVERED BY THE SYSTEM AS OF ITS TERMINATION DATE.

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

(1) the term "employee" means an individual employed by an agency (within the

meaning of section 7103(a)(3) of title 5, United States Code);

(2) the term "performance management and recognition system" means the performance management and recognition system under chapter 54 of title 5, United States Code;

(3) the term "basic pay" does not include any amount payable under section 302 or title IV of FEPCA or section 5304 or 5304a of title 5, United States Code;

(4) the term "pay rate", as used in clauses (iii) through (v) of subsection (c)(2)(B), is used in the same way as such term is used under section 5335(a) of title 5, United States Code; and

(5) the term "FEPCA" means the Federal Employees Pay Comparability Act of 1990 (contained in the Treasury, Postal Service and General Government Appropriations Act, 1991 (Public Law 101-509; 104 Stat. 1427)).

(b) APPLICABILITY.—Notwithstanding section 5332(a)(1) of title 5, United States Code (as amended by section 3(b)(1)(F)), or any other provision of law, the rate of basic pay for an employee covered by the performance management and recognition system on October 31, 1993, shall be determined in accordance with this section so long as such employee continues, without a break in service of more than 3 days, to occupy any position—

(1) which is in the same grade of the General Schedule, and the same agency, as the position which such employee occupied on October 31, 1993; and

(2) to which the provisions of chapter 54 of title 5, United States Code (as in effect on October 31, 1993) would apply if such provisions had remained in effect.

(c) SPECIAL RULES.—

(1) IN GENERAL.—The rate of basic pay for an employee who is subject to this section shall be the rate payable to such employee on October 31, 1993, subject to paragraph (2).

(2) ADJUSTMENTS.—Adjustments in the rate of basic pay for an employee who is subject to this section shall be made in accordance with the relevant provisions of title 5, United States Code, or otherwise applicable provisions of law, subject to the following:

(A) DEEM RATES AND POSITIONS TO BE UNDER THE GENERAL SCHEDULE.—For purposes of applying subchapters I and III of chapter 53 of such title (and the provisions of section 302 and title IV of FEPCA with respect to any payment under any of those provisions)—

(i) the rate of basic pay determined under this section for an employee shall be treated as a rate of basic pay described in section 5302(8) of such title;

(ii) the position then currently occupied by an employee who is subject to this section shall be deemed to be a "General Schedule position" within the meaning of section 5302(9) of such title; and

(iii) any employee who is subject to this section shall be considered to be a "General Schedule employee" (as referred to in section 302(b) of FEPCA).

(B) SPECIAL RULES RELATING TO PROVISIONS GOVERNING STEP-INCREASES.—For purposes of applying the provisions of sections 5335 and 5336 of title 5, United States Code, with respect to any employee who is subject to this section—

(i) any reference in such provisions to a "step-increase" shall be considered to mean an increase equal to one-ninth of the difference between the minimum and maximum rates of pay for the applicable grade of the General Schedule;

(ii) any reference in such provisions to the "next higher rate within the grade" shall be

considered to mean the rate of basic pay which exceeds such employee's then current rate of basic pay by the amount of a step-increase;

(iii) if the employee's rate of basic pay is less than the rate for pay rate 4 of the applicable grade, such employee's rate of basic pay shall be governed by paragraph (1) of section 5335(a) of such title;

(iv) if the employee's rate of basic pay is equal to or greater than the rate for pay rate 4 but less than the rate for pay rate 7 of the applicable grade, such employee's rate of basic pay shall be governed by paragraph (2) of section 5335(a) of such title; and

(v) if the employee's rate of basic pay is equal to or greater than the rate for pay rate 7 but less than the maximum rate of the applicable grade, such employee's rate of basic pay shall be governed by paragraph (3) of section 5335(a) of such title.

No rate of basic pay for an employee may be increased, as a result of this subparagraph (or any provision of law to which any clause of this subparagraph relates), if or to the extent that the resulting rate would exceed the maximum rate for the grade of the position occupied by such employee.

(d) REGULATIONS.—The Office of Personnel Management shall prescribe any regulations which may be necessary for the administration of this section.

SEC. 5. MISCELLANEOUS PROVISIONS.

(a) COORDINATION RULE.—Notwithstanding the amendment made by section 3(b)(1)(H)(ii), an increase in pay granted under section 5404 of title 5, United States Code, before November 1, 1993, shall be deemed to be an equivalent increase in pay within the meaning of section 5335(a) of such title.

(b) PERFORMANCE AWARDS.—Notwithstanding section 2, for purposes of applying section 5406 of title 5, United States Code, the amount under subsection (c)(1)(A)(ii) of such section 5406 with respect to awards for work performed during fiscal year 1994 shall, for each agency subject to such section 5406, be deemed to be zero.

The SPEAKER pro tempore. The gentlewoman from the District of Columbia [Ms. NORTON] will be recognized for 20 minutes, and the gentlewoman from Maryland [Mrs. MORELLA] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia [Ms. NORTON].

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

Mr. Speaker, the Performance Management and Recognition System, PMRS as it is called, is scheduled to sunset September 30, 1993. H.R. 3019 merely extends PMRS 1 month in order to allow for its orderly termination.

The subcommittee's consideration of PMRS began in May with a proposal from the Office of Personnel Management to allow agencies greater flexibility in developing their own performance management systems and to increase employee involvement in this process.

It provided for the option of using as few as two levels of performance assessment, establishing a uniform system, providing for in-grade and merit pay increases and basing an employee's within-grade and general pay increase

on the attainment of established performance expectations.

The Subcommittee on Compensation and Employee Benefits held two hearings on the reauthorization of PMRS. Many concerns were expressed and many constructive suggestions offered.

Therefore, the consensus of the members of the committee and those who testified was to engage in further work before seeking wholesale reform of this important legislation.

OPM has recently indicated that the administration will submit a new proposal for performance management and recognition in the future. This seems entirely appropriate in light of the performance management review recently published.

Our purpose here today, therefore, is to avoid an unintended lapse.

H.R. 3019, the Performance Management and Recognition System Termination Act, extends PMRS 1 additional month, terminating it on October 31, 1993. The 1-month extension will enable agencies which conclude their review cycles on September 30 and award merit increases and performance bonuses in October to do so.

PMRS managers and supervisors will be transferred to the general schedule and will retain their current rates of pay. They will, however, remain off step until promoted to the next higher grade.

On September 9, 1993, the Subcommittee on Compensation Employee Benefits, by a recorded vote of 5 to nothing, approved H.R. 3019 without amendment for full committee consideration.

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

On September 14, 1993, the Committee on Post Office and Civil Service ordered H.R. 3019 favorably reported unanimously.

Mr. Speaker, I rise in support of H.R. 3019, the Performance Management and Recognition System [PMRS] Termination Act. I am pleased to be the original cosponsor of this measure along with the chair of the Subcommittee on Compensation and Employee Benefits, the gentlewoman from the District of Columbia, Ms. Norton, who is the sponsor.

H.R. 3019 would extend PMRS for 1 month which would enable employees to get their expected merit raises for fiscal year 1993 and then proceed systematically into a corresponding GS grade without financial loss or a substantial expenditure by the Government.

I urge my colleagues to support H.R. 3019.

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

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from the District of Columbia [Ms. NORTON] that the House suspend the rules and pass the bill, H.R. 3019.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous matter on the bills, H.R. 2685, S. 1130, H.R. 2751, and H.R. 3019.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

ROSS BASS POST OFFICE

Miss COLLINS of Michigan. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 464) to redesignate the Pulaski Post Office located at 111 West College Street in Pulaski, TN, as the "Ross Bass Post Office."

The Clerk read as follows:

S. 464

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

SECTION 1. REDESIGNATION OF PULASKI POST OFFICE AS ROSS BASS POST OFFICE.

The building in Pulaski, Tennessee that houses the primary operations of the United States Postal Service (as determined by the Postmaster General) shall be known and designated as the "Ross Bass Post Office Building". Any reference in a law, map, regulation, document, paper, or other record of the United States to the building shall be deemed to be a reference to the "Ross Bass Post Office Building".

The SPEAKER pro tempore. The gentlewoman from Michigan [Miss COLLINS] will be recognized for 20 minutes, and the gentlewoman from Maryland [Mrs. MORELLA] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from Michigan [Miss COLLINS].

Miss COLLINS of Michigan. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I support the passage of S. 464, which will designate the U.S. Post Office building located at 111 West College Street in Pulaski, TN, as the "Ross Bass Post Office."

Mr. Bass, a former Member of Congress, served as a distinguished Member of the House of Representatives

from 1955 to 1964 and then in the Senate until 1967. During his years in the House, Mr. Bass, known as a liberal minded legislator, voted for landmark civil rights legislation and won a seat on the powerful Ways and Means Committee.

Mr. Bass attended Martin College in Pulaski, TN, and served in the Army Air Forces as a bombardier-navigator in Europe during World War II. Mr. Bass also served as Pulaski housing commissioner and postmaster before winning election to Congress from Tennessee's rural Sixth District in 1954.

I am pleased to join Senator SASSER and the citizens of Pulaski, TN, in their attempt to name the postal facility in Pulaski, TN, the "Ross Bass Post Office." I support the passage of S. 464 and urge my colleagues to support the measure.

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

□ 1510

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

Mr. Speaker, I rise today to offer my support for S. 464, to designate the postal facility located on West College Street in Pulaski, TN, as the "Ross Bass Post Office."

I also want to take this opportunity to advise my colleagues the minority members of the Committee on Post Office and Civil Service are in agreement on this legislation and have no objections to its immediate passage.

Mr. Speaker, Ross Bass, a former Member of this body and a former postmaster of Pulaski, TN, I believe is well-deserving of the honor that we convey today and it is fitting that we pay tribute to his memory in this fashion and I urge my colleagues to join me in moving his legislation forward.

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

Miss COLLINS of Michigan. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The question is on the motion offered by the gentleman from Michigan [Miss COLLINS] that the House suspend the rules and pass the Senate bill, S. 464.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of order of no quorum is considered withdrawn.

SAMUEL E. PERRY POST OFFICE BUILDING

Miss COLLINS of Michigan. Mr. Speaker, I move to suspend the rules

and pass the bill (H.R. 2056) to redesignate the post office building located at 600 Princess Anne Street in Fredericksburg, VA, as the "Samuel E. Perry Post Office Building," as amended.

The Clerk read as follows:

H.R. 2056

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

SECTION 1. REDESIGNATION.

The Post Office building located at 600 Princess Anne Street in Fredericksburg, Virginia, and known as the Main Post Office, shall be known and designated as the "Samuel E. Perry Post Office Building".

SEC. 2 REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Post Office building referred to in section 1 shall be deemed to be a reference to the Samuel E. Perry Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan [Miss COLLINS] will be recognized for 20 minutes, and the gentleman from Maryland [Mrs. MORELLA] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Michigan [Miss COLLINS].

Miss COLLINS of Michigan. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I support the passage of H.R. 2056, as amended, which will designate the U.S. Post Office building located at 600 Princess Anne Street in Fredericksburg, VA, as the "Samuel E. Perry Postal Building."

Mr. Perry faithfully and diligently served the citizens of the city of Fredericksburg in many ways. Mr. Perry served as a Postal Service employee from 1919 until 1961 retiring as superintendent of mail and as a member of the Fredericksburg City Council for over 37 years.

Mr. Perry also served as a member of the Fredericksburg Volunteer Rescue Squad for over 50 years and as a member of the Fredericksburg Volunteer Fire Department for over 70 years.

I am pleased to join Congressman BATEMAN and the citizens of Fredericksburg, VA, in their attempt to name the postal facility in Fredericksburg, VA, the "Samuel E. Perry, Sr. Post Office." I support the passage of H.R. 2056, as amended, and urge my colleagues to support the measure.

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

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

Mr. Speaker, I rise today to offer my support for H.R. 2056, to designate the postal facility located on Princess Anne Street in Fredericksburg, VA, as the "Samuel E. Perry Postal Building."

Sam Perry served the U.S. Postal Service for 42 years and also served on the Fredericksburg City Council for 40 years before his passing last August at 87 years of age. I believe it will be of in-

terest to my colleagues to know that both the city council and the Stafford County Board of Supervisors unanimously approved resolutions in support of H.R. 2056 and I would encourage all my colleagues to join with me in paying tribute to Sam Perry by making this designation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. BATEMAN], the sponsor of this legislation.

Mr. BATEMAN. Mr. Speaker, let me begin by thanking the chairman and members of the committee for bringing this legislation before the House today. I am very appreciative of the work you all have done in supporting my effort to have the post office in Fredericksburg, VA, named in honor of Sam Perry, Sr.

Mr. Speaker, I believe that naming this post office after Sam Perry is certainly an appropriate act for this Congress to take as well as a fitting tribute to an exceptional individual, and public servant.

No one was better known or respected in the Fredericksburg area than Sam Perry. His unselfish devotion to helping the people of Fredericksburg through his work in the Postal Service, Fredericksburg Rescue Squad, and the city council not only touched, but enriched the lives of all who knew him. He was everybody's friend.

I cannot think of a better way to recognize Sam than to name the city's post office after him, particularly since he was for 42 years an employee of the U.S. Postal Service. Sam retired from the Postal Service in 1961 as Superintendent of Mails.

Everyone who knew Sam Perry knows that the Fredericksburg community is a better place today because of him. For those who were not fortunate enough to be touched personally by his life's works, I believe renaming the post office in Sam's honor can be a daily reminder of what a caring and committed individual can do for his family, friends, and community. Indeed, by acting on this legislation today, Congress is reaffirming its own commitment to public service.

Mr. Speaker, let me close by once again thanking the members and staff of the Committee on Post Office and Civil Service for their fine work in bringing this measure to the floor. I am honored to have been able to introduce this bill and I urge my colleagues to support it.

Miss COLLINS of Michigan. Mr. Speaker, I yield back the balance of my time.

Mrs. MORELLA. Mr. Speaker, I, too, yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Miss COLLINS] that the House suspend the rules and pass the bill, H.R. 2056, as amended.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of order of no quorum is considered withdrawn.

GRAHAM B. PURCELL, JR. POST OFFICE BUILDING

Miss COLLINS of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2294) to redesignate the post office building located at 1000 Lamar Street in Wichita Falls, TX, as the Graham B. Purcell, Jr. Post Office Building, as amended.

The Clerk read as follows:

H.R. 2294

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

SECTION 1. REDESIGNATION.

The Post Office building located at 1000 Lamar Street in Wichita Falls, Texas, and known as the Main Post Office, shall be known and designated as the "Graham B. Purcell, Jr. Post Office Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Post Office building referred to in section 1 shall be deemed to be a reference to the Graham B. Purcell, Jr. Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan [Miss COLLINS] will be recognized for 20 minutes, and the gentlewoman from Maryland [Mrs. MORELLA] will be recognized for 20 minutes.

The Chair recognizes the gentlewoman from Michigan [Miss COLLINS].

Miss COLLINS of Michigan. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I support the passage of H.R. 2294, as amended, which will designate the U.S. Post Office building located at 1000 Lamar Street in Wichita Falls, TX, the "Graham B. Purcell, Jr. Post Office."

Mr. Purcell is a former Member of Congress from the 13th District of Texas. Mr. Purcell served as a distinguished Member of the House of Representatives from 1962 to 1972.

Before coming to Congress, he served as an officer in the Army during World War II attaining the rank of major.

Mr. Purcell graduated from Texas A&M College and Baylor University Law School. He served as judge of the 89th Judicial District Court of Texas from 1955 to 1962 when he was elected to the 87th Congress.

I am pleased to join Congressman SARPALIUS and the citizens of Wichita Falls, TX, in their attempt to name the postal facility in Wichita Falls, TX,

the Graham B. Purcell, Jr. Post Office. I support the passage of H.R. 2294, as amended, and urge my colleagues to support the measure.

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

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

Mr. Speaker, I rise today to offer my support for H.R. 2294, to designate the main post office facility on Lamar Street in Wichita Falls, TX, in honor of Graham B. Purcell, Junior.

Graham Purcell was a Member of this body from 1962 until 1972 and has been a practicing attorney and judge for most of his professional career in the north central Texas area of Wichita Falls.

I encourage my colleagues to join us today in paying our respects to this fine American and former colleague.

□ 1520

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

GENERAL LEAVE

Miss COLLINS of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on S. 464, H.R. 2056, and H.R. 2294.

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mr. SARPALIUS. Mr. Speaker, I rise in support of H.R. 2294 as the original sponsor of that bill to name the post office in Wichita Falls, TX, the Graham B. Purcell, Jr. Post Office.

Mr. Speaker, I want to express my appreciation to the gentlewoman from Michigan [Miss COLLINS], the chairman of the Subcommittee on Postal Operations and Expenses and the gentleman from Missouri [Mr. CLAY], the chairman of the Committee on Post Office and Civil Service for their work on this legislation in committee.

Graham B. Purcell, Jr., was born in Archer City, TX, on May 5, 1919. He graduated from Texas A&M in 1946 and from Baylor University Law School in 1949.

He entered the U.S. Army in 1941 and served in the Tunisian and Italian campaigns. He achieved the rank of major and was discharged in 1946. He continued to serve his country in active reserves.

Graham Purcell was admitted to the bar and began practicing law in Big Spring, TX, in 1949. In 1955 he was appointed judge of the 89th Judicial District Court of Texas and was elected to that office in 1956 and 1960. He served in that position until 1962.

In 1962, Graham Purcell was elected to the 87th Congress by special election and was re-elected to the five succeeding Congresses. He resumed the practice of law in 1973 and is a resident of Wichita Falls, TX.

Mr. Speaker, Graham Purcell was a dedicated representative of his constituents and I

believe it is an appropriate tribute to designate the post office in Wichita Falls, TX, as the Graham B. Purcell, Jr. Post Office. I urge the support of my colleagues in recognizing the service Graham Purcell gave to the people of his district and our Nation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan [Miss COLLINS] that the House suspend the rules and pass the bill, H.R. 2294, as amended.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT TO IMPACT AID REGARDING INDIAN LANDS

Mr. KILDEE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3051) to provide that certain property located in the State of Oklahoma owned by an Indian housing authority for the purpose of providing low-income housing shall be treated as Federal property under the Act of September 30, 1950 (Public Law 874, 81st Congress).

The Clerk read as follows:

H.R. 3051

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

SECTION 1. CERTAIN PROPERTY IN THE STATE OF OKLAHOMA OWNED BY INDIAN HOUSING AUTHORITY FOR PURPOSE OF PROVIDING LOW-INCOME HOUSING TREATED AS FEDERAL PROPERTY UNDER PUBLIC LAW 874, 81ST CONGRESS.

(a) IN GENERAL.—Any real property located in the State of Oklahoma that—

(1) is owned by an Indian housing authority and used for low-income housing (including housing assisted under the mutual help homeownership opportunity program under section 202 of the United States Housing Act of 1937), and

(2) at any time prior to the date of the enactment of this Act—

(A) was designated by treaty as tribal land, or

(B) satisfied the definition of Federal property under section 403(1)(A) of the Act of September 30, 1950 (Public Law 874, 81st Congress),

shall be treated as Federal property under such section.

(b) APPLICABILITY.—Subsection (a) shall apply only with respect to payments made under the Act of September 30, 1950 (Public Law 874, 81st Congress) for fiscal year 1994.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Michigan [Mr. KILDEE] will be recognized for 20 minutes, and the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Michigan [Mr. KILDEE].

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

Mr. Speaker, this bill, introduced by the gentleman from Oklahoma [Mr. BREWSTER], seeks a short-term remedy for a number of school districts in the State of Oklahoma who otherwise find themselves suddenly and unexpectedly ineligible for a certain type of impact aid payment.

The Department of Education recently completed a verification survey of property claimed as "Indian lands" for the purpose of impact aid.

Information from this survey caused the department to determine that these school districts would no longer be eligible for payments that they have received in the past.

Unfortunately, these determinations were made during the summer and affect funding for the school year just begun.

This has left numerous school districts in Oklahoma with no time to adjust for a loss of funding.

H.R. 3051 corrects this situation by maintaining the status quo while we consider the reauthorization of the impact aid law this Congress.

We are considering this bill today only because it addresses an emergency situation affecting numerous school districts.

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

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

Mr. Speaker, H.R. 3051 will allow certain property in Oklahoma, on which low income housing has been developed to be treated as Indian lands for purposes of payments under impact aid.

Mr. Speaker, I want to make it very clear that I will oppose the addition of any other impact aid amendments to this legislation and will oppose H.R. 3051 if it is returned from the other body with such amendments.

Finally, I would like to point out that the remedy provided by this legislation is only effective for 1 year and that it will have no budget impact because the bill will retain payments for this property at their current level.

Mr. FORD of Michigan. Mr. Speaker, today I rise to ask for the passage of H.R. 3051, a bill to address an emergency situation as regards impact aid payments to certain school districts in Oklahoma.

This bill is occasioned by a reinterpretation by the Department of Education regarding whether or not children who reside in public housing built on certain Indian lands qualify for payments under the Indian lands provision of the impact aid law. Historically, children residing in such housing have qualified under this provision. The Department is now saying that they should qualify under a different provision,

reducing substantially the funding for a number of schools.

Since this program is funded in the current year, the impact of this reduction is devastating, since classes have already begun and schools had budgeted based on the historic interpretation. This is a special, in fact, a unique case. It only impacts one State, Oklahoma, which is singular in its legal position with respect to historic Indian lands.

The entire Impact Aid Program is scheduled for consideration and reauthorization during this Congress. There are a number of issues surrounding this program which require serious deliberation. I cannot now tell the Members what will be the shape or thrust of the reauthorization. I can tell you that this Oklahoma situation will be reviewed as part of our deliberations.

For these reasons, I am supporting H.R. 3051, as an emergency measure to protect the status quo. It is not fair to prejudge this one situation or let this unique set of districts suffer through inaction.

However, I want to make clear that this is not a signal for open season on this program. This is a 1 year, short-term remedy to meet a dire set of circumstances and maintain the status quo. It involves no additional funds or redistribution of money.

I say this to put all on notice that should simple bill undergo change or expansion as it goes through the remainder of the process, I will not move to any further consideration of this legislation. The Committee on Education and Labor intends to review this program in an orderly and coordinated fashion. We do not want to be rushed into a piecemeal reauthorization involving many important issues.

With this understanding, I ask for the passage of this bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. KILDEE] that the House suspend the rules and pass the bill, H.R. 3051.

The question was taken.
Mr. SOLOMON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. KILDEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on H.R. 3051, the bill just considered.

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

There was no objection.

EXTENDING INTERIM EXEMPTION UNDER THE MARINE MAMMAL PROTECTION ACT FOR COMMERCIAL FISHERIES

Mr. STUDDS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3049) to extend the current interim exemption under the Marine Mammal Protection Act for commercial fisheries until April 1, 1994.

The Clerk read as follows:

H.R. 3049

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 114(a)(1) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1383a(a)(1)), is amended by striking "October 1, 1993," and inserting in lieu thereof "April 1, 1994."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 20 minutes, and the gentleman from Texas [Mr. FIELDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

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

Mr. Speaker, H.R. 3049, introduced by Representatives YOUNG, SAXTON, and me, would extend until April 1, 1994, the current 5-year interim exemption from the Marine Mammal Protection Act's prohibition on taking marine mammals incidental to commercial fishing operations. This 6-month extension is necessary for the committee to address adequately concerns raised by representatives of the fishing industry and the environmental and animal welfare communities at the August 4 hearing before the Environment and Natural Resources Subcommittee and in subsequent meetings.

Although we had hoped to have approved a new management regime in time to meet the act's deadline of October 1, 1993, it is clear that more time is needed if we are to adopt a regime which will fulfill the goals of the MMPA and incorporate the concerns of interested parties. While we iron out this new language, an extension of the 5-year exemption is vital if we are to ensure that those who make their livelihoods from the sea can continue to do so unencumbered. I believe a 6-month extension is the committee's only sound alternative at this late date.

Mr. Speaker, so far as I know, this approach is unanimously agreed to by the members of the committee on both sides of the aisle.

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

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

Mr. Speaker, I rise in support of H.R. 3049 which extends the current exemption in the Marine Mammal Protection Act [MMPA] concerning the incidental

take of marine mammals in commercial fisheries until April 1, 1994.

The MMPA was enacted in 1972 for the purpose of ensuring that marine mammals are maintained at, or in some cases restored to, healthy population levels. Prior to 1988, the act authorized the take of marine mammals incidental to commercial fishing operations through general permits or small take exemptions. In 1986, a Federal court decision—*Kokechik*—effectively prevented the National Marine Fisheries Service [NMFS] from issuing any incidental take permits on non-depleted species in situations where takes of depleted species, or species of unknown population status, might also occur. The court decision also stipulated that marine mammal stocks whose optimum sustainable population has not been determined are to be considered depleted.

In 1988, Congress amended the MMPA to provide a 5-year interim exemption for the fishing industry. During the interim, data on interactions between commercial fisheries and marine mammals were to be collected and the status of marine mammal stocks was to be determined in order to develop a permanent regime. The interim exemption program expires on October 1, 1993.

This issue is one that has proven rather difficult to resolve. This extension should allow us the time we need to address outstanding issues related to the Marine Mammal Protection Act.

Mr. Speaker, I support this extension and urge adoption of the bill.

□ 1530

Mr. Speaker, I yield such time as he may consume to the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in support of H.R. 3049 and urge its adoption by the House.

This bill is a short-term extension of the current fisheries program, which exists under the Marine Mammal Protection Act. This bill is necessary in order to avoid a potential closure of our Nation's commercial fisheries at the end of this month.

In 1988, the Congress passed a 5-year measure which allowed some incidental take of marine mammals in the course of commercial fishing operations. This does not affect the tuna fisheries, which were handled under separate legislation. At the end of 5 years, the Congress intended to put in place a permanent management program governing the interaction between fishermen and marine mammals. Unfortunately, due to a variety of problems including a delay in receiving recommendations from the executive branch, the permanent program is not yet available.

I want to assure my colleagues that our committee is working diligently

with the administration, the commercial fishing industry, and the environmental community to come up with a bill acceptable to all parties. Our committee has introduced legislation and has held a hearing on a proposed permanent program. We are now reviewing the comments we have received and will be working with the other body to have this program put in effect. In the meantime, it is in the best interests of all concerned to pass this short-term bill.

This is a much-needed measure which is without controversy. I urge the House to act on it quickly.

Mr. STUDDS. Mr. Speaker, I thank the gentleman from Pennsylvania for his quick study and his slow reading. I am very relieved to note the presence of the distinguished terrestrial mammal from Alaska who has joined us now.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Washington [Ms. CANTWELL].

Ms. CANTWELL. Mr. Speaker, I rise today in support of this bill to extend the Marine Mammal Protection Act exemption for commercial fishing operations. It is critical, however, that we recognize the urgency of completing a comprehensive reauthorization of the Marine Mammal Protection Act as soon as possible.

This extension is not an opportunity to put off addressing the difficult issues in this reauthorization. In the Northwest, pinniped interaction with endangered steelhead runs is nearing a critical point. The steelhead will be returning to the Ballard Locks in Washington State next month, completing their return well before the 6-month extension expires. We must implement a management regime that will enable us to effectively handle predatory situations such as the one at the Ballard Locks. If we fail to act, this steelhead run may be destroyed and a resource which has defined the Northwest will be in serious jeopardy.

Without this extension, the commercial fishing industry, an industry vital to the economic health of the Northwest, will be brought to a virtual halt on October 1. That is why I supported the extension in committee and why I will support it in the House today.

Mr. Speaker, I must reiterate my concern that the committee deliver a comprehensive reauthorization of this critical law as soon as possible. I am committed to working with my colleagues on the Merchant Marine and Fisheries Committee toward that end.

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

Mr. STUDDS. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Speaker, today we are considering legislation to ex-

tend for 6 months an interim exemption that will allow commercial fishermen to continue to incidental taking of marine mammals in the course of their fishing operations. At the same time, we are delaying a more comprehensive effort to reauthorize the Marine Mammal Protection Act. This is frustrating, because we are putting a very small Band-Aid on a very large cut.

I supported this 6-month extension when it came through the Merchant Marine and Fisheries Committee because without it, commercial fishing operations in many areas of the Washington-Oregon coast would have been faced with shutdowns. But I want to make very clear that there are other urgent issues we must deal with—and soon.

Because just as we have to act when a population is dwindling, so too must we act when one is expanding rapidly. That is certainly the case with seals and sea lions. In response to a report I requested, the National Marine Fisheries Service has found that seal and sea lion populations are increasing 6 to 10 percent a year. The West Coast population of California sea lions, once only a few thousand, now numbers more than 110,000.

For commercial fishermen, huge increases in these robust populations means increased interactions with salmon. For sportfishermen, it means watching the so-called Herschels annihilate the last of the wild Lake Washington steelhead at the Ballard Locks. This 6-month extension, Mr. Speaker, does not even begin to address these problems. What it does is buy us more time to find the workable solutions to which I am committed. I know Chairman STUDDS shares this commitment and understands the importance of moving comprehensive legislation that responds to the problems of robust populations and nuisance animals. This legislation should be put in place before April 1 to ensure protection of the Lake Washington steelhead.

In that case, we face the dilemma of seeing one species pitted against another, of one aspect of a problem being dealt with while another is ignored. It is a glaring example of why we must move beyond a species-by-species management approach to a broader ecosystem approach that gives us both predictability and the sustainable use of our resources.

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

The SPEAKER pro tempore [Mr. FIELDS of Louisiana]. The question is on the motion offered by the gentleman from Massachusetts [Mr. STUDDS] that the House suspend the rules and pass the bill, H.R. 3049.

The question was taken.

Mr. SOLOMON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the

point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

WALTER B. JONES CENTER FOR THE SOUNDS

Mr. STUDDS. Mr. Speaker, I move to suspend the rules and pass the bill, H.R. 2961, to authorize the Secretary of the Interior to construct and operate the Walter B. Jones Center for the Sounds at the Pocosin Lakes National Wildlife Refuge.

The Clerk read as follows:

H.R. 2961

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

SECTION 1. FINDINGS.

The Congress finds the following:

(1) The Pocosin Lakes National Wildlife Refuge, located in northeastern North Carolina, provides unique opportunities for observing and interpreting the biological richness of the region's estuaries and wetlands.

(2) Although there are 10 national wildlife refuges in eastern North Carolina, not one has an educational or interpretative center for visitors.

(3) The State of North Carolina, Tyrrell County, the town of Columbia, the Conservation Fund, and private citizens have proposed to enter into a partnership with the United States Fish and Wildlife Service to establish an educational and interpretative facility to be known as the Center for the Sounds.

(4) Establishment of the Center for the Sounds would bestow economic benefits upon Tyrrell County and the town of Columbia.

(5) The Federal Government has designated the Albemarle-Pamlico estuary system of northeastern North Carolina as an estuary of national concern.

SEC. 2. FURTHER FINDINGS.

The Congress further finds and declares the following:

(1) Throughout his congressional career, the Honorable Walter B. Jones was a strong supporter of the National Wildlife Refuge System.

(2) During his years of service in the House of Representatives, Walter B. Jones supported the establishment and expansion of National Wildlife Refuges in eastern North Carolina; these include 6 new National Wildlife Refuges established in his district, including the Alligator River National Wildlife Refuge and the Pocosin Lakes National Wildlife Refuge, which are respectively the third largest and fifth largest National Wildlife Refuges east of the Mississippi River.

(3) Walter B. Jones helped increase refuge acreage in his district by over 303,000 acres, thus ensuring the protection of these lands for wildlife habitat and public recreation.

(4) Walter B. Jones' support for reintroducing endangered red wolves into the wild at Alligator River National Wildlife Refuge was a major factor in securing public acceptance of, and support for, this first successful effort to reintroduce endangered predators into formerly occupied habitat.

(5) Walter B. Jones devoted much of his congressional career, including his years as

Chairman of the Merchant Marine and Fisheries Committee, to the conservation of fish and wildlife, for the benefit of the Nation and the people of North Carolina.

(6) Walter B. Jones should most appropriately be recognized for his work on behalf of fish and wildlife conservation by having the Center for the Sounds at the Pocosin Lakes National Wildlife Refuge System named in his honor.

SEC. 3. AUTHORITY TO CONSTRUCT AND OPERATE FACILITY.

(a) IN GENERAL.—The Secretary of the Interior may, subject to the availability of appropriations, construct and operate the Walter B. Jones Center for the Sounds at the Pocosin Lakes National Wildlife Refuge in Tyrrell County, North Carolina, for the following purposes:

(1) Providing public opportunities, facilities, and resources to study the natural history and natural resources of northeastern North Carolina.

(2) Offering a variety of environmental educational programs and interpretive exhibits.

(3) Fostering an awareness and understanding of the interactions among wildlife, estuarine and wetland ecosystems, and human activities.

(4) Providing office space and facilities for refuge administration, research, education, and related activities.

SEC. 4. DESIGN.

The Secretary of the Interior shall ensure that the design, size, and location of a facility constructed under this Act are consistent with the cultural and natural history of the area with which the facility will be concerned.

SEC. 5. COST SHARING.

The Secretary of the Interior may accept contributions of funds from non-Federal sources to pay the costs of operating and maintaining the facility authorized under this Act, and shall take appropriate steps to seek to obtain such contributions.

SEC. 6. REPORT.

Not later than 6 months after the date of the enactment of this Act, the Secretary of the Interior shall submit a report to the Congress on progress made in designing and constructing a facility under this Act, including steps taken under section 5 to obtain contributions and any such contributions that have been pledged to or received by the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 20 minutes, and the gentleman from Texas [Mr. FIELDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

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

H.R. 2961 was introduced by our colleague from North Carolina [Mr. LANCASTER]. It would honor the memory of the late chairman of the Merchant Marine and Fisheries Committee by naming a new educational and interpretative facility at the Pocosin Lakes National Wildlife Refuge in North Carolina the "Walter B. Jones Center for the Sounds."

Chairman Jones was a tireless advocate for the protection and preservation of the National Wildlife Refuge

System. His efforts are clearly evident in his home State of North Carolina where during his congressional service, six new refuges were created in his district. The establishment of this center would allow others the opportunity to develop the same appreciation for our natural resources that Chairman Jones had.

I believe the Walter B. Jones Center for the Sounds is a fitting way to remember Chairman Jones' dedication to his district and to the National Wildlife Refuge System. I strongly urge Members to vote in favor of this legislation.

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

Mr. FIELDS of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2961 which authorizes the Secretary of the Interior to construct and operate the Walter B. Jones Center for the Sounds at the Pocosin Lakes National Wildlife Refuge in North Carolina.

This wildlife refuge provides a unique opportunity for observing and interpreting the biological richness of that region's estuaries and wetlands. The establishment of an educational and interpretative facility, supported by a partnership of State, city, private, and Federal entities, is indeed an opportunity we should capitalize on by approving this legislation.

Many Members may recall that the late chairman of the Merchant Marine and Fisheries Committee, Walter B. Jones, worked diligently on this particular project for many years. It was his vision to have a center where visitors and students, attracted by the natural resources and waters of the region, could learn more about environmental processes and issues.

I would like to compliment our colleague, Congressman MARTIN LANCASTER, for introducing this legislation authorizing the Center in honor of our beloved former chairman, Walter B. Jones of North Carolina.

Mr. Speaker, this is a bill we should all support and I am pleased to urge its adoption by the House.

□ 1540

Mr. STUDDS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from North Carolina [Mr. LANCASTER], the author of the bill.

Mr. LANCASTER. Mr. Speaker, I thank my colleagues on the committee for their eloquent and kind words on behalf of this bill, and also in praise of our former colleague and chairman, Walter B. Jones. It has been pointed out that this bill authorizes the Secretary of the Interior to construct and operate the Walter B. Jones Center for the Sounds, which will serve as the headquarters for the Pocosin Lakes National Wildlife Refuge in Tyrrell County in eastern North Carolina. This center will provide public opportunities,

facilities, and resources so that children and adults may study the region's natural history and resources. It will offer environmental educational programs and exhibits, and lastly, it will provide office space for the operation of the refuge. Any Federal spending will be subject to future appropriations, but we anticipate significant cost-sharing between the Department of the Interior, local and State government agencies.

Mr. Speaker, the exact cost of the center is unknown at this time, although previous centers of this type have cost in the range of \$2 million to \$5 million. After this center is designed, we will be able to more exactly determine that cost.

Congressman Jones introduced in the 102d Congress legislation which would establish this center, but unfortunately, died before it could be enacted. It was amended last year so that it would become a memorial to him, and at that time it passed the House of Representatives but died in the Senate at the end of the session. Once again, we are seeking the support of this body and of the Senate to authorize this important program.

Walter B. Jones was chairman of the Committee on Merchant Marine and Fisheries for 12 years, but served on the committee for the entire 26 years that he served in Congress. He was an especially strong advocate for the National Wildlife Refuge System, and during his term in Congress the Pocosin Lake National Wildlife Refuge and several other refuges were established in his district. Over 303,000 acres in his district were added to refuges, in the then First District of North Carolina. Now much of that lies within my new district, the Third District.

The Pocosin Lakes Refuge, for which this will become the center, was established with over 110,000 acres, but through a land donation from the conservation fund, so that no Federal funds to this point have gone into this refuge. These will be the first Federal funds, simply to establish the headquarters.

This acreage extends over a wide area in parts of three counties, in one of the poorest regions of North Carolina. These counties, along with others in the region, have formed a consortium called Partnership for the Sounds to develop ecotourism as a draw to that region, as a source of economic development, and as a source of economic growth for the region.

Surprisingly, while many counties object to taking property out of their tax base to establish wildlife refuges, Tyrrell County, where the bulk of this wildlife refuge is located, has enthusiastically embraced wildlife refuges and the role that they play in ecotourism and putting that small county on the map as a center for study of the ecology and the environ-

ment in the coastal estuaries and streams of eastern North Carolina.

We believe this is important legislation that will not only honor our former colleague and friend, Walter B. Jones, but will serve as an important educational tool for the people who will visit this region, and also as a headquarters for the refuge. I urge my colleagues to support this legislation, and again thank my colleagues for their kind words on behalf of the legislation.

Mr. FIELDS of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I thank the gentleman for yielding to me.

I thank the sponsor of this bill. I believe everything has been said about the center, Mr. Speaker, but most of all, I would like to say, and I say this with great feeling, that Walter B. Jones, the chairman of that committee, probably right now is looking down and saying, "You are doing what?" he is probably saying, "There are some things we should have done when I was there, and I am glad you are continuing to carry on the work, through the leadership of the gentleman from Massachusetts [Mr. STUDDS] on the Committee on Merchant Marine and Fisheries," he believed so strongly in it, not only in the fish and wildlife of this Nation, but also the maritime part of it.

That is what this committee is all about. This committee, and we worked under Mr. Jones, now the gentleman from Massachusetts [Mr. STUDDS], and the gentleman from Texas [Mr. FIELDS], is the committee that serves all the people.

Mr. Speaker, this center is being named after Mr. Jones, just a small part of his legacy that he leaves behind. Mostly, the legacy left behind was the ability to work together as a group of individuals, as representatives of their constituencies, for the betterment of this country. I commend the author for this small gesture. I urge my colleagues to pass this legislation, and let us find the money wherever it is possible, whether it be through the private sector, the county, or the Federal Government, to implement a true legacy for Walter B. Jones.

Mr. STUDDS. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. ORTIZ].

Mr. ORTIZ. Mr. Speaker, I would like to echo what has been said by the gentleman from Texas [Mr. FIELDS], the gentleman from Alaska [Mr. YOUNG], and the gentleman from North Carolina [Mr. LANCASTER].

Mr. Speaker, this is an appropriate action in tribute for our late colleague from North Carolina. For 12 years, he chaired the Merchant Marine and Fisheries Committee, the panel with juris-

dition over the U.S. Fish and Wildlife Service and its National Wildlife Refuge System. There are 10 national wildlife refuges in eastern North Carolina, but not one has a visitors center or educational facility. This bill authorizes a cost-sharing effort between the Federal, State, and local governments to construct and operate a facility at Pocosin Lakes National Wildlife Refuge in Columbia, NC. It is fitting for us to honor Walter Jones in this manner.

Mr. Speaker, I urge my colleagues to vote in favor of this legislation.

Mr. FIELDS of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I would like to say on behalf of the Members on my side of the aisle that Walter Jones was a person that we all had deep, deep affection for. He was a very fair chairman. He was bipartisan. He worked with Members on all sides, and that tradition and legacy is being carried on today by our current chairman, the gentleman from Massachusetts [Mr. STUDDS].

Let me just say I am proud to be a member on this particular committee, and I am proud that we are taking this action today in memory of someone that we all cared so deeply for.

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

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

Mr. Speaker, I just want to echo the words of the gentleman from Alaska [Mr. YOUNG] and the gentleman from Texas [Mr. FIELDS]. I think we can all agree that this may well be the only committee in the House, all of whose members, both Republican and Democratic, are genuine conservatives in the truest sense of that word.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Mr. Speaker, I rise in enthusiastic support of this measure, and urge its adoption.

Mr. Speaker, it is all too rare when local governments and communities are enthusiastic about the presence of a national wildlife refuge. We all know about conflicts over refuge operations; local citizens sometimes claim that refuges are managed without taking into account the economic needs and aspirations of neighboring citizens. We also know that many localities resist the creation or expansion of refuges because they fear that their tax bases will be eroded.

In Tyrrell County, NC, we have a completely different situation. County government officials, along with those of the government of the town of Columbia, have welcomed the existence of the Pocosin Lakes National Wildlife Refuge. In fact, they are embarking on an exciting and innovative concept of linking economic development with environmental protection. They believe that by preserving their waters, lands, and wildlife, they can attract visitors interested in seeing their natural resources. Eco-tourism will create jobs in an area desperately in need of them.

The Federal Government needs to encourage this type of approach by local governments. Creation of the Walter B. Jones Center for the Sounds will prove to the citizens of Tyrrell County that the Fish and Wildlife Service will be a partner with them in protecting their natural resources and creating economic opportunities.

The President has spoken eloquently about the need to grow the economy. The Water B. Jones Center for the Sounds will help grow the economy of northeastern North Carolina.

The SPEAKER pro tempore. (Mr. FRANK of Massachusetts). The question is on the motion offered by the gentleman from Massachusetts [Mr. STUDDS] that the House suspend the rules and pass the bill, H.R. 2961.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

BROWNSVILLE WETLANDS POLICY ACT OF 1993

Mr. ORTIZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2604) to establish a wetlands center at the Port of Brownsville, TX, and for other purposes.

The Clerk read as follows:

H.R. 2604

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 "Brownsville Wetlands Policy Act of 1993".

SEC. 2. ESTABLISHMENT OF WETLANDS POLICY CENTER AT THE PORT OF BROWNSVILLE, TEXAS.

(a) ESTABLISHMENT OF CENTER.—For purposes of utilizing grants made by the United States Fish and Wildlife Service there may be established in accordance with this Act, on property owned or held in trust by the Brownsville Navigation District at the Port of Brownsville, Texas, a wetlands policy center which shall be known as the "Brownsville Wetlands Policy Center at the Port of Brownsville, Texas" (in this Act referred to as the "Center"). The Center shall be operated and maintained by the Port of Brownsville with programs to be administered by the University of Texas at Brownsville.

(b) MISSION OF THE CENTER.—The primary mission of the Center shall be to utilize the unique wetlands property at the Port of Brownsville and adjacent waters of South Texas to focus on wetland matters for the purposes of protecting, restoring, and maintaining the Lagoon Ecosystems of the Western Gulf of Mexico Region.

(c) BOARD OF DIRECTORS.—The Center shall be governed by a Board of Directors to oversee the management and financial affairs of the Center. The Board of Directors shall be cochaired by the Port of Brownsville, the University of Texas at Brownsville, and the

designee of the Director of the Fish and Wildlife Service, and shall include as members other representatives considered appropriate by those cochairs.

(d) OVERSIGHT OF THE CENTER.—

(1) ANNUAL REPORT.—The Board of Directors of the center shall prepare an annual report and submit it through the Director of the United States Fish and Wildlife Service to the Congress.

(2) CONTENTS.—Annual reports under this subsection shall cover the programs, projects, activities, and accomplishments of the Center. The reports shall include a review of the budget of the Center, including all sources of funding received to carry out Center operations.

(3) AVAILABILITY OF INFORMATION.—The Board of Directors of the Center shall make available all pertinent information and records to allow preparation of annual reports under this subsection.

(4) GENERAL ACCOUNTING OFFICE.—The Comptroller General of the United States shall periodically submit to the Congress reports on the operations of the Center.

SEC. 3. GRANTS.

The Director of the United States Fish and Wildlife Service shall, subject to the availability of appropriations, make grants to the Center for use for carrying out activities of the Center.

SEC. 4. LEASE.

The Director of the United States Fish and Wildlife Service, subject to the availability of appropriations, may enter into a long-term lease with the Port of Brownsville for use by the Center of wetlands property owned by the Port of Brownsville. Terms of the lease shall be negotiated, and the lease shall be signed by both parties, prior to the disposal of any Federal funds pursuant to this Act. The lease shall include a provision authorizing the Director to terminate the lease at any time.

SEC. 5. OTHER REQUIREMENT.

As conditions of receiving assistance under this Act—

(1) the University of Texas at Brownsville shall make available to the Center for fiscal years 1994, 1995, 1996, and 1997—

(A) administrative office space;

(B) classroom space; and

(C) other in-kind contributions for the Center, including overhead and personnel; and

(2) the Port of Brownsville shall make available up to 7,000 acres of Port Property for the programs, projects, and activities of the Center.

The Board of Directors of the Center shall include in their annual report under section 2(d) a statement of whether these conditions have been met.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Director of the United States Fish and Wildlife Service \$5,000,000 for fiscal year 1994, \$4,000,000 for fiscal year 1995, \$4,000,000 for fiscal year 1996; and such sums as may be necessary for fiscal year 1997, for making grants to the Center under section 3, including for use for the establishment, operation, maintenance, and management of the Center.

SEC. 7. RELATIONSHIP OF CENTER WITH THE CENTER FOR ENVIRONMENTAL STUDIES AND SERVICES, CORPUS CHRISTI, TEXAS.

None of the funds appropriated pursuant to this Act may be used to relocate any of the administrative operations of the United States Fish and Wildlife Service from the Center for Environmental Studies and Services Building on the campus of Corpus Chris-

ti State University, to the Brownsville Wetlands Policy Center at the Port of Brownsville, Texas, established pursuant to this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 20 minutes, and the gentleman from Texas [Mr. FIELDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

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

Mr. Speaker, H.R. 2604, the Brownsville Wetlands Policy Act, was introduced by our colleague from Texas, Mr. ORTIZ, and provides for the establishment of a wetlands policy center at the Port of Brownsville, TX. The bill authorizes the U.S. Fish and Wildlife Service to fund wetland research projects on the 7,000 acres of wetlands owned by the Port of Brownsville.

H.R. 2604 is a sound proposal, and I urge its passage.

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

Mr. FIELDS of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2604 which establishes a wetlands policy center at the Port of Brownsville, TX. The center would use property at the port to study wetlands for the purpose of protecting, restoring, and maintaining the ecosystem of the western Gulf of Mexico.

Mr. Speaker, this is a noncontroversial bill. In fact, it was adopted by the Merchant Marine and Fisheries Committee and the House of Representatives during the last Congress. I would like to commend its sponsor, Mr. ORTIZ, for this bill and all his work in support of wetlands research.

□ 1550

Mr. Speaker, I yield such time as he may consume to the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I too would like to commend the gentleman from Texas [Mr. ORTIZ] for his foresight on this legislation.

Mr. Speaker, I rise in support of H.R. 2604, which was introduced by my colleague from Texas, and urge its adoption by the House.

This bill is identical to one which was approved by our committee during the 102d Congress. It has again been reported unanimously. The bill will establish a wetlands policy center at the Port of Brownsville, TX, which will be used to study wetlands in a joint arrangement between the U.S. Fish and Wildlife Service and the University of Texas.

Mr. Speaker, far too often we take action without knowing what we are

doing. A perfect example is the administration's proposed wetlands policy, which will lock up hundreds of thousands of acres of land in my State of Alaska without looking at reality. Establishment of a center such as the one proposed in this bill will enable us to give some serious scientific study to wetlands use and protection and enable us to make better decisions in the future. I urge its adoption.

Mr. STUDDS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas [Mr. ORTIZ], the author of the bill.

Mr. ORTIZ. Mr. Speaker, I would like to thank my chairman, the gentleman from Massachusetts, Mr. STUDDS, for moving this bill, and also my friend from Texas, Mr. JACK FIELDS, and the gentleman from Alaska, Mr. YOUNG, and the gentleman from Pennsylvania, Mr. WELDON.

Mr. Speaker, I rise today in strong support of H.R. 2604, which establishes a wetlands policy center in Brownsville, TX.

The purpose of H.R. 2604 is to develop an innovative, cooperative approach to the preservation, restoration and study of wetlands, focusing on the lagoon ecosystems of the western Gulf of Mexico region.

In a move of great generosity and community spirit, the Port of Brownsville, TX, has agreed to make available over 7,000 acres of valuable wetlands property for wetlands management, education, and policy program activities.

This legislation simply serves as a mechanism to create a wetlands center on these wetlands that will be overseen by a board of directors headed by the port, a local university, and the U.S. Fish and Wildlife Service.

The center will allow researchers, scientists, and students to conduct actual, applied management techniques on extremely diverse wetlands property contiguous to a heavy industrial enterprise.

This will provide a unique opportunity to focus on new technologies and approaches on the issues of wetlands preservation and environmentally compatible economic policy.

In addition, the center will serve to promote and foster the development of greatly needed graduate degree and career opportunities in the fields of environmental management, engineering, and policy, for Hispanics and other minorities in the United States.

This bill is nearly identical to legislation passed by the House last year.

It is the result of the cooperative efforts of the Port of Brownsville, the University of Texas at Brownsville, the U.S. Fish and Wildlife Service, and Chairman STUDDS' staff on the Merchant Marine and Fisheries Committee.

It is supported by both the majority and minority members on the committee.

I want to thank everyone for their time and effort in bringing this modest but important bill to the floor, and I urge its support.

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

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

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). The question is on the motion offered by the gentleman from Massachusetts [Mr. STUDDS] that the House suspend the rules and pass the bill, H.R. 2604.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

FEDERAL EMPLOYEES POLITICAL ACTIVITIES ACT OF 1993

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 251 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 251

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House a motion to take from the Speaker's table the bill (H.R. 20) to amend title 5, United States Code, to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitations, and for other purposes, with a Senate amendment thereto, and to concur in the Senate amendment. The Senate amendment shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 251 provides for consideration of H.R. 20, the Federal Employees Political Activities Act. The rule provides for a motion to take H.R. 20 from the Speaker's table with a Senate amendment and to concur in the Senate amendment. The rule provides that the Sen-

ate amendment shall be considered as read. The rule further provides that the motion will be debatable for 1 hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service.

Mr. Speaker, H.R. 20 with amendment would restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the Nation. The bill permits Federal employees to hold office in a political party, or affiliated organization, and to take an active role in the management of a political campaign if it is conducted on the employee's own time and not on the job.

The bill further prohibits Federal employees from running for any partisan political office including local offices, but allows Federal employees to run for public office in nonpartisan elections. The bill prohibits the soliciting or receiving of campaign contributions unless from individuals within the same Federal employee organization, who are not subordinate employees and the contributions must be on behalf of a Federal employees' organization's PAC to which the employee belongs.

In addition, the bill would prohibit most Federal law enforcement personnel, intelligence agency employees, senior executive service employees, administrative law judges, contract appeal board members and FEC employees from taking an active part in political campaigns.

Finally, the bill would protect Federal civilian employees from improper political solicitations and contains prohibitions against coercion. The bill specifies that Federal employees cannot use official authority or influence to interfere with the result of an election or to intimidate any individual to vote or not to vote, to give or withhold a contribution, or to engage or not engage in any political activity.

Mr. Speaker, H.R. 20 will allow Federal employees for the first time in over 50 years to participate in political activity and House Resolution 251 is a fair rule that will expedite consideration of this important legislation. I urge my colleagues to support the rule and the bill. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of the rule and this bill, the Federal Employees Political Activities Act of 1993. For too long, a group of Americans has been disenfranchised from the political process by an archaic law passed in the 1930's. But, Mr. Speaker, hopefully this legislation will change all of that.

The rule before us provides for the House to agree to the Senate amendments to H.R. 20, a bill which the House passed by a very substantial

margin several months ago. Post Office and Civil Service Committee Chairman CLAY and the ranking member on that committee, the gentleman from Indiana [Mr. MYERS] my good friend, both testified in the Rules Committee last week that their committee is agreeable to the Senate amendments. I congratulate both of these gentlemen for doing an outstanding job in crafting this very, very importance piece of legislation.

Although there are substantive changes from the bill the House passed in March, the sentiment in the House seems to be to agree to the Senate changes and not delay this legislation any further.

For the sake of the Federal employees who have waited for many decades to participate in the political processes of this Nation, we should not hold this legislation back another day from reaching the President's desk. By our adopting the Senate amendments, it will go directly to the President without conference.

Mr. Speaker, while the Senate amendments weaken the effort to restore equal rights to all Federal employees under the Constitution, I am prepared to support final passage of the bill today in order to send the legislation to the White House immediately.

For many years I have supported the rights of Government workers to engage in political activity, with two stipulations: that they do it on their own time and without the use of Government offices or resources.

□ 1600

This is both reasonable, necessary, and fair.

The provisions of law regarding what Federal workers can and cannot do have been subject to different interpretations. There is widespread confusion in the Government about what exactly is allowed. I just had a discussion over here a few minutes ago as to whether or not members of the Federal Reserve Board are Hatched. They do not even know themselves.

It is my belief that H.R. 20 presents a very coherent reform of the Hatch Act. However, one issue that has been of great concern to me and other Members of this body needs some kind of clarification. The issue is the right of certain State and local workers, not Federal workers, but certain State and local Government workers, to engage in political activities. At the appropriate time I would like to engage the gentleman from Missouri [Mr. CLAY], the distinguished chairman of the Committee on Post Office and Civil Service, in a colloquy regarding this important subject.

Mr. Speaker, my concern is that the State and local government employees whose salaries are paid through Federal funds will still not be entitled to the same constitutional rights as other

Americans. That is wrong. For various reasons, it will remain current policy that these employees have only a limited right to take part in politics. I urge the Congress to take appropriate steps to rectify this shameful state of affairs.

These problems aside, the fact is that both Houses of Congress have agreed to restore the constitutional rights to Federal workers who have been denied them for so very, very long.

The Framers of our Constitution clearly believed that citizen participation was necessary for this great experiment in democracy to survive. It is unconscionable that we have denied a group of citizens the right to participate with a full voice in the political affairs of the Nation.

I would urge support for the rule and the bill when it comes up for a vote later on.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. CLAY. Mr. Speaker, pursuant to House Resolution 251, I move to take from the Speaker's table the bill (H.R. 20) to amend title 5, United States Code, to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the Nation, to protect such employees from improper political solicitations, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. CLAY moves to take from the Speaker's table the bill, H.R. 20, with a Senate amendment thereto, and to concur in the Senate amendment.

The SPEAKER pro tempore. Pursuant to the rule, the Senate amendment is considered as read.

The text of the Senate amendment is as follows:

Amendment:

Strike out all after the enacting clause and insert:

That this Act may be cited as the "Hatch Act Reform Amendments of 1993".

SEC. 2. POLITICAL ACTIVITIES.

(a) Subchapter III of chapter 73 of title 5, United States Code, is amended to read as follows:

"SUBCHAPTER III—POLITICAL ACTIVITIES

"§7321. Political participation

"It is the policy of the Congress that employees should be encouraged to exercise fully, freely, and without fear of penalty or reprisal, and to the extent not expressly prohibited by law, their right to participate or to refrain from participating in the political processes of the Nation.

"§7322. Definitions

"For the purpose of this subchapter—

"(1) 'employee' means any individual, other than the President and the Vice President, employed or holding office in—

"(A) an Executive agency other than the General Accounting Office;

"(B) a position within the competitive service which is not in an Executive agency; or

"(C) the government of the District of Columbia, other than the Mayor or a member of the City Council or the Recorder of Deeds;

but does not include a member of the uniformed services;

"(2) 'partisan political office' means any office for which any candidate is nominated or elected as representing a party any of whose candidates for Presidential elector received votes in the last preceding election at which Presidential electors were selected, but shall exclude any office or position within a political party or affiliated organization; and

"(3) 'political contribution'—

"(A) means any gift, subscription, loan, advance, or deposit of money or anything of value, made for any political purpose;

"(B) includes any contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for any political purpose;

"(C) includes any payment by any person, other than a candidate or a political party or affiliated organization, of compensation for the personal services of another person which are rendered to any candidate or political party or affiliated organization without charge for any political purpose; and

"(D) includes the provision of personal services for any political purpose.

"§7323. Political activity authorized; prohibitions

"(a) Subject to the provisions of subsection (b), an employee may take an active part in political management or in political campaigns, except an employee may not—

"(1) use his official authority or influence for the purpose of interfering with or affecting the result of an election;

"(2) knowingly solicit, accept, or receive a political contribution from any person, unless such person is—

"(A) a member of the same Federal labor organization as defined under section 7103(4) of this title or a Federal employee organization which as of the date of enactment of the Hatch Act Reform Amendments of 1993 had a multicandidate political committee (as defined under section 315(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(4)));

"(B) not a subordinate employee; and

"(C) the solicitation is for a contribution to the multicandidate political committee (as defined under section 315(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(4))) of such Federal labor organization as defined under section 7103(4) of this title or a Federal employee organization which as of the date of the enactment of the Hatch Act Reform Amendments of 1993 had a multicandidate political committee (as defined under section 315(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(4))); or

"(3) run for the nomination or as a candidate for election to a partisan political office; or

"(4) knowingly solicit or discourage the participation in any political activity of any person who—

"(A) has an application for any compensation, grant, contract, ruling, license, permit, or certificate pending before the employing office of such employee; or

"(B) is the subject of or a participant in an ongoing audit, investigation, or enforcement action being carried out by the employing office of such employee.

"(b)(1) An employee of the Federal Election Commission (except one appointed by the President, by and with the advice and consent of the Senate), may not request or receive from, or give to, an employee, a Member of Congress, or an officer of a uniformed service a political contribution.

"(2)(A) No employee described under subparagraph (B) (except one appointed by the President, by and with the advice and consent of the Senate), may take an active part in political management or political campaigns.

"(B) The provisions of subparagraph (A) shall apply to—

"(i) an employee of—
 "(I) the Federal Election Commission;
 "(II) the Federal Bureau of Investigation;
 "(III) the Secret Service;
 "(IV) the Central Intelligence Agency;
 "(V) the National Security Council;
 "(VI) the National Security Agency;
 "(VII) the Defense Intelligence Agency;
 "(VIII) the Merit Systems Protection Board;
 "(IX) the Office of Special Counsel;
 "(X) the Office of Criminal Investigation of the Internal Revenue Service;

"(XI) the Office of Investigative Programs of the United States Customs Service; or

"(XII) the Office of Law Enforcement of the Bureau of Alcohol, Tobacco, and Firearms; or
 "(ii) a person employed in a position described under section 3132(a)(4), 5372, or 5372a of title 5, United States Code.

"(3) No employee of the Criminal Division of the Department of Justice (except one appointed by the President, by and with the advice and consent of the Senate), may take an active part in political management or political campaigns.

"(4) For purposes of this subsection, the term 'active part in political management or in a political campaign' means those acts of political management or political campaigning which were prohibited for employees of the competitive service before July 19, 1940, by determinations of the Civil Service Commission under the rules prescribed by the President.

"(c) An employee retains the right to vote as he chooses and to express his opinion on political subjects and candidates.

"§7324. Political activities on duty; prohibition

"(a) An employee may not engage in political activity—

"(1) while the employee is on duty;

"(2) in any room or building occupied in the discharge of official duties by an individual employed or holding office in the Government of the United States or any agency or instrumentality thereof;

"(3) while wearing a uniform or official insignia identifying the office or position of the employee; or

"(4) using any vehicle owned or leased by the Government of the United States or any agency or instrumentality thereof.

"(b)(1) An employee described in paragraph (2) of this subsection may engage in political activity otherwise prohibited by subsection (a) if the costs associated with that political activity are not paid for by money derived from the Treasury of the United States.

"(2) Paragraph (1) applies to an employee—

"(A) the duties and responsibilities of whose position continue outside normal duty hours and while away from the normal duty post; and
 "(B) who is—

"(i) an employee paid from an appropriation for the Executive Office of the President; or

"(ii) an employee appointed by the President, by and with the advice and consent of the Senate, whose position is located within the United States, who determines policies to be pursued by the United States in relations with foreign powers or in the nationwide administration of Federal laws.

"§7325. Political activity permitted; employees residing in certain municipalities

"The Office of Personnel Management may prescribe regulations permitting employees, without regard to the prohibitions in paragraphs (2) and (3) of section 7323(a) of this title, to take an active part in political management and political campaigns involving the municipality or other political subdivision in which they reside, to the extent the Office considers it to be in their domestic interest, when—

"(1) the municipality or political subdivision is in Maryland or Virginia and in the immediate vicinity of the District of Columbia, or is a municipality in which the majority of voters are employed by the Government of the United States; and

"(2) the Office determines that because of special or unusual circumstances which exist in the municipality or political subdivision it is in the domestic interest of the employees and individuals to permit that political participation.

"§7326. Penalties

"An employee or individual who violates section 7323 or 7324 of this title shall be removed from his position, and funds appropriated for the position from which removed thereafter may not be used to pay the employee or individual. However, if the Merit System Protection Board finds by unanimous vote that the violation does not warrant removal, a penalty of not less than 30 days' suspension without pay shall be imposed by direction of the Board."

(b)(1) Section 3302(2) of title 5, United States Code, is amended by striking out "7203, 7321, and 7322" and inserting in lieu thereof "and 7203".

(2) The table of sections for subchapter III of chapter 73 of title 5, United States Code, is amended to read as follows:

"SUBCHAPTER III—POLITICAL ACTIVITIES

"7321. Political participation.

"7322. Definitions.

"7323. Political activity authorized; prohibitions.

"7324. Political activities on duty; prohibition.

"7325. Political activity permitted; employees residing in certain municipalities.

"7326. Penalties."

SEC. 3. AMENDMENT TO CHAPTER 12 OF TITLE 5, UNITED STATES CODE.

Section 1216(c) of title 5, United States Code, is amended to read as follows:

"(c) If the Special Counsel receives an allegation concerning any matter under paragraph (1), (3), (4), or (5) of subsection (a), the Special Counsel may investigate and seek corrective action under section 1214 and disciplinary action under section 1215 in the same way as if a prohibited personnel practice were involved."

SEC. 4. AMENDMENTS TO TITLE 18, UNITED STATES CODE.

(a) Section 602 of title 18, United States Code, relating to solicitation of political contributions, is amended—

(1) by inserting "(a)" before "It";

(2) in paragraph (4) by striking out all that follows "Treasury of the United States" and inserting in lieu thereof a semicolon and "to knowingly solicit any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 from any other such officer, employee, or person. Any person who violates this section shall be fined under this title or imprisoned not more than 3 years, or both."; and

(3) by adding at the end thereof the following new subsection:

"(b) The prohibition in subsection (a) shall not apply to any activity of an employee (as defined in section 7322(1) of title 5) or any individual employed in or under the United States

Postal Service or the Postal Rate Commission, unless that activity is prohibited by section 7323 or 7324 of such title."

(b) Section 603 of title 18, United States Code, relating to making political contributions, is amended by adding at the end thereof the following new subsection:

"(c) The prohibition in subsection (a) shall not apply to any activity of an employee (as defined in section 7322(1) of title 5) or any individual employed in or under the United States Postal Service or the Postal Rate Commission, unless that activity is prohibited by section 7323 or 7324 of such title."

(c)(1) Chapter 29 of title 18, United States Code, relating to elections and political activities is amended by adding at the end thereof the following new section:

"§610. Coercion of political activity

"It shall be unlawful for any person to intimidate, threaten, command, or coerce, or attempt to intimidate, threaten, command, or coerce, any employee of the Federal Government as defined in section 7322(1) of title 5, United States Code, to engage in, or not to engage in, any political activity, including, but not limited to, voting or refusing to vote for any candidate or measure in any election, making or refusing to make any political contribution, or working or refusing to work on behalf of any candidate. Any person who violates this section shall be fined not more than \$5,000 or imprisoned not more than three years, or both."

(2) The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end thereof the following:

"610. Coercion of political activity."

SEC. 5. AMENDMENTS TO THE VOTING RIGHTS ACT OF 1965.

Section 6 of the Voting Rights Act of 1965 (42 U.S.C. 1973d) is amended by striking out "the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 118i), prohibiting partisan political activity" and by inserting in lieu thereof "the provisions of subchapter III of chapter 73 of title 5, United States Code, relating to political activities".

SEC. 6. AMENDMENTS RELATING TO APPLICATION OF CHAPTER 15 OF TITLE 5, UNITED STATES CODE.

Section 675(e) of the Community Services Block Grant Act (42 U.S.C. 9904(e)) is repealed.

SEC. 7. APPLICABILITY TO POSTAL EMPLOYEES.

The amendments made by this Act (except for the amendments made by section 8), and any regulations thereunder, shall apply with respect to employees of the United States Postal Service and the Postal Rate Commission, pursuant to sections 410(b) and 3604(e) of title 39, United States Code.

SEC. 8. POLITICAL RECOMMENDATIONS.

(a) Section 3303 of title 5, United States Code, is amended to read as follows:

"§3303. Political recommendations

"(a) For the purposes of this section—

"(1) 'agency' means—

"(A) an Executive agency; and

"(B) an agency in the legislative branch with positions in the competitive service;

"(2) 'applicant' means an individual who has applied for appointment to be an employee;

"(3) 'employee' means an employee of an agency who is—

"(A) in the competitive service;

"(B) a career appointee in the Senior Executive Service or an employee under a similar appointment in a similar executive service; or

"(C) in the excepted service other than—

"(i) an employee who is appointed by the President; or

"(ii) an employee whose position has been determined to be of a confidential, policy-determining, policy-making, or policy-advocating character; and

"(4) 'personnel action' means any action described under clauses (i) through (x) of section 2302(a)(2)(A).

"(b) Except as provided under subsection (f), each personnel action with respect to an employee or applicant shall be taken without regard to any recommendation or statement, oral or written, with respect to any employee or applicant who requests or is under consideration for such personnel action, made by—

"(1) any Member of Congress or congressional employee;

"(2) any elected official of the government of any State (including the District of Columbia and the Commonwealth of Puerto Rico), county, city, or other subdivision thereof;

"(3) any official of a political party; or

"(4) any other individual or organization making such recommendation or statement on the basis of the party affiliation of the employee or applicant.

"(c) Except as provided under subsection (f), a person or organization referred to under subsection (b) (1) through (4) is prohibited from making or transmitting to any officer or employee of an agency, any recommendation or statement, oral or written, with respect to any employee or applicant who requests or is under consideration for any personnel action in such agency. Except as provided under subsection (f), the agency, or any officer or employee of the agency—

"(1) shall not solicit, request, consider, or accept any such recommendation or statement; and

"(2) shall return any such written recommendation or statement, appropriately marked as in violation of this section, to the person or organization transmitting the same.

"(d) Except as provided under subsection (f), an employee or applicant who requests or is under consideration for a personnel action in an agency is prohibited from requesting or soliciting from a person or organization referred to under subsection (b) (1) through (4) a recommendation or statement.

"(e) Under regulations prescribed by the Office of Personnel Management, the head of each agency shall ensure that employees and applicants are given notice of the provisions of this section.

"(f) An agency, or any authorized officer or employee of an agency, may solicit, accept, and consider, and any other individual or organization may furnish or transmit to the agency or such authorized officer or employee, any statement with respect to an employee or applicant who requests or is under consideration for a personnel action, if—

"(1) the statement is furnished pursuant to a request or requirement of the agency and consists solely of an evaluation of the work performance, ability, aptitude, and general qualifications of the employee or applicant;

"(2) the statement relates solely to the character and residence of the employee or applicant;

"(3) the statement is furnished pursuant to a request made by an authorized representative of the Government of the United States solely in order to determine whether the employee or applicant meets suitability or security standards;

"(4) the statement is furnished by a former employer of the employee or applicant pursuant to a request of an agency, and consists solely of an evaluation of the work performance, ability, aptitude, and general qualifications of such employee or applicant during employment with such former employer; or

"(5) the statement is furnished pursuant to a provision of law or regulation authorizing consideration of such statement with respect to a specific position or category of positions.

"(g) An agency shall take any action it determines necessary and proper under subchapter I

or II of chapter 75 to enforce the provisions of this section.

"(h) The provisions of this section shall not affect the right of any employee to petition Congress as authorized by section 7211."

(b) The table of sections for chapter 33 of title 5, United States Code, is amended by amending the item relating to section 3303 to read as follows:

"3303. Political recommendations."

(c) Section 2302(b)(2) of title 5, United States Code, is amended to read as follows:

"(2) solicit or consider any recommendation or statement, oral or written, with respect to any individual who requests or is under consideration for any personnel action except as provided under section 3303(f);"

SEC. 9. GARNISHMENT OF FEDERAL EMPLOYEES' PAY.

(a) Subchapter II of chapter 55 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§5520a. Garnishment of pay

"(a) For purposes of this section—

"(1) 'agency' means each agency of the Federal Government, including—

"(A) an executive agency, except for the General Accounting Office;

"(B) the United States Postal Service and the Postal Rate Commission;

"(C) any agency of the judicial branch of the Government; and

"(D) any agency of the legislative branch of the Government, including the General Accounting Office, each office of a Member of Congress, a committee of the Congress, or other office of the Congress;

"(2) 'employee' means an employee of an agency (including a Member of Congress as defined under section 2106);

"(3) 'legal process' means any writ, order, summons, or other similar process in the nature of garnishment, that—

"(A) is issued by a court of competent jurisdiction within any State, territory, or possession of the United States, or an authorized official pursuant to an order of such a court or pursuant to State or local law; and

"(B) orders the employing agency of such employee to withhold an amount from the pay of such employee, and make a payment of such withholding to another person, for a specifically described satisfaction of a legal debt of the employee, or recovery of attorney's fees, interest, or court costs; and

"(4) 'pay' means—

"(A) basic pay, premium pay paid under subchapter V, any payment received under subchapter VI, VII, or VIII, severance and back pay paid under subchapter IX, sick pay, incentive pay, and any other compensation paid or payable for personal services, whether such compensation is denominated as wages, salary, commission, bonus pay or otherwise; and

"(B) does not include awards for making suggestions.

"(b) Subject to the provisions of this section and the provisions of section 303 of the Consumer Credit Protection Act (15 U.S.C. 1673) pay from an agency to an employee is subject to legal process in the same manner and to the same extent as if the agency were a private person.

"(c)(1) Service of legal process to which an agency is subject under this section may be accomplished by certified or registered mail, return receipt requested, or by personal service, upon—

"(A) the appropriate agent designated for receipt of such service of process pursuant to the regulations issued under this section; or

"(B) the head of such agency, if no agent has been so designated.

"(2) Such legal process shall be accompanied by sufficient information to permit prompt iden-

tification of the employee and the payments involved.

"(d) Whenever any person, who is designated by law or regulation to accept service of process to which an agency is subject under this section, is effectively served with any such process or with interrogatories, such person shall respond thereto within thirty days (or within such longer period as may be prescribed by applicable State law) after the date effective service thereof is made, and shall, as soon as possible but not later than fifteen days after the date effective service is made, send written notice that such process has been so served (together with a copy thereof) to the affected employee at his or her duty station or last-known home address.

"(e) No employee whose duties include responding to interrogatories pursuant to requirements imposed by this section shall be subject to any disciplinary action or civil or criminal liability or penalty for, or on account of, any disclosure of information made by such employee in connection with the carrying out of any of such employee's duties which pertain directly or indirectly to the answering of any such interrogatory.

"(f) Agencies affected by legal process under this section shall not be required to vary their normal pay and disbursement cycles in order to comply with any such legal process.

"(g) Neither the United States, an agency, nor any disbursing officer shall be liable with respect to any payment made from payments due or payable to an employee pursuant to legal process regular on its face, provided such payment is made in accordance with this section and the regulations issued to carry out this section. In determining the amount of any payment due from, or payable by, an agency to an employee, there shall be excluded those amounts which would be excluded under section 462(g) of the Social Security Act (42 U.S.C. 662(g)).

"(h)(1) Subject to the provisions of paragraph (2), if an agency is served under this section with more than one legal process with respect to the same payments due or payable to an employee, then such payments shall be available, subject to section 303 of the Consumer Credit Protection Act (15 U.S.C. 1673), to satisfy such processes in priority based on the time of service, with any such process being satisfied out of such amounts as remain after satisfaction of all such processes which have been previously served.

"(2) A legal process to which an agency is subject under sections 459, 461, and 462 of the Social Security Act (42 U.S.C. 659, 661, and 662) for the enforcement of the employee's legal obligation to provide child support or make alimony payments, shall have priority over any legal process to which an agency is subject under this section.

"(i) The provisions of this section shall not modify or supersede the provisions of sections 459, 461, and 462 of the Social Security Act (42 U.S.C. 659, 661, and 662) concerning legal process brought for the enforcement of an individual's legal obligations to provide child support or make alimony payments.

"(j)(1) Regulations implementing the provisions of this section shall be promulgated—

"(A) by the President or his designee for each executive agency, except with regard to employees of the United States Postal Service, the President or, at his discretion, the Postmaster General shall promulgate such regulations;

"(B) jointly by the President pro tempore of the Senate and the Speaker of the House of Representatives, or their designee, for the legislative branch of the Government; and

"(C) by the Chief Justice of the United States or his designee for the judicial branch of the Government.

"(2) Such regulations shall provide that an agency's administrative costs in executing a garnishment action may be added to the garnishment, and that the agency may retain costs recovered as offsetting collections.

"(k)(1) No later than 180 days after the date of the enactment of this Act, the Secretaries of the Executive departments concerned shall promulgate regulations to carry out the purposes of this section with regard to members of the uniformed services.

"(2) Such regulations shall include provisions for—

"(A) the involuntary allotment of the pay of a member of the uniformed services for indebtedness owed a third party as determined by the final judgment of a court of competent jurisdiction, and as further determined by competent military or executive authority, as appropriate, to be in compliance with the procedural requirements of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 App. U.S.C. 501 et seq.); and

"(B) consideration for the absence of a member of the uniformed service from an appearance in a judicial proceeding resulting from the exigencies of military duty.

"(3) The Secretaries of the Executive departments concerned shall promulgate regulations under this subsection that are, as far as practicable, uniform for all of the uniformed services. The Secretary of Defense shall consult with the Secretary of Transportation with regard to the promulgation of such regulations that might affect members of the Coast Guard when the Coast Guard is operating as a service in the Navy."

(b)(1) The table of chapters for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5520 the following:

"5520a. Garnishment of pay."

(2) Section 410(b) of title 39, United States Code, is amended—

(A) by redesignating the second paragraph (9) (relating to the Inspector General Act of 1978) as paragraph (10); and

(B) by adding at the end thereof the following new paragraph:

"(11) section 5520a of title 5."

SEC. 10. SENSE OF THE SENATE RELATING TO FEDERAL EMPLOYEE SOLICITATION OF FUNDS AND CANDIDACIES.

It is the sense of the Senate that Federal employees should not be authorized to—

(1) solicit political contributions from the general public; or

(2) run for the nomination or as a candidate for a local partisan political office, except as expressly provided under current law.

SEC. 11. SENSE OF THE SENATE RELATING TO ASSISTANCE TO NICARAGUA.

(a) FINDINGS.—The Senate finds the following:

(1) On May 23, 1993, an explosion in Managua, Nicaragua exposed a cache of weapons, including 19 surface-to-air missiles, hundreds of AK-47 assault rifles, machine guns, rocket propelled grenades, tons of ammunition and explosives.

(2) Investigations of the explosions have uncovered 310 passports from 21 different countries, including seven United States passports.

(3) Documents in the possession of those apprehended in connection with the February 26, 1993, bombing of the World Trade Center have been traced to Nicaragua.

(4) The acquisition and storage of these weapons and documents could not have been accomplished without the knowledge and cooperation of the Sandinista National Liberation Front and ministries of the Government of Nicaragua under its control.

(5) The Sandinista National Liberation Front has a history of subversion and links to international terrorism.

(6) The recent discovery demonstrates the inability of the legitimate Government of Nicaragua to control all of its ministries.

(7) This lack of authority makes uncertain the ability of the Government of Nicaragua to prevent the export of terrorism by the Sandinista National Liberation Front.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) no further United States foreign assistance to Nicaragua should be obligated pending investigation by an appropriate international body, with the participation of United States Federal agencies, of the Sandinista National Liberation Front; and

(2) such investigation should focus on the relationship of the Sandinista National Liberation Front to acts of terrorism which threaten to undermine the security of the United States and the political stability and economic prosperity of the Western Hemisphere.

SEC. 12. EFFECTIVE DATE.

(a) The amendments made by this Act shall take effect 120 days after the date of the enactment of this Act, except that the authority to prescribe regulations granted under section 7325 of title 5, United States Code (as added by section 2 of this Act), shall take effect on the date of the enactment of this Act.

(b) Any repeal or amendment made by this Act of any provision of law shall not release or extinguish any penalty, forfeiture, or liability incurred under that provision, and that provision shall be treated as remaining in force for the purpose of sustaining any proper proceeding or action for the enforcement of that penalty, forfeiture, or liability.

(c) No provision of this Act shall affect any proceedings with respect to which the charges were filed on or before the effective date of the amendments made by this Act. Orders shall be issued in such proceedings and appeals shall be taken therefrom as if this Act had not been enacted.

The SPEAKER pro tempore. Pursuant to House Resolution 251, the gentleman from Missouri [Mr. CLAY] will be recognized for 30 minutes, and the gentleman from Indiana [Mr. MYERS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Missouri [Mr. CLAY].

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

Mr. Speaker, I first sponsored legislation to reform the Hatch Act almost two decades ago. Today, it is my hope that this long effort shall come to a successful conclusion.

Earlier this year, the House passed H.R. 20 by a vote of 333 to 86. In its overall effect, H.R. 20 as passed by the Senate is substantially similar to the bill as passed by the House. The Senate amendment, like the House-passed bill, protects Federal employees from improper political solicitation, broadens their right to participate in political activities while off duty, tightens restrictions on political coercion, and strengthens the procedures for punishing those who violate the legislation's prohibitions. Under this legislation, Federal employees are precluded from engaging in any political activity while on duty, on Government premises, in a Government vehicle, or while in a Government uniform. No Federal or postal employee may use his or her official authority or influence for the

purpose of interfering with or affecting the result of an election. Nor may any Federal or postal employee knowingly solicit or discourage political activity on the part of any person who is doing business with, or is the subject of an enforcement action by, that employee's agency.

The Senate amendment is more restrictive than the House-passed bill. The House-passed bill would have permitted Federal employees to solicit contributions on behalf of partisan candidates. The Senate amendment permits solicitation only on behalf of the multicandidate political action committees [PAC's] of Federal employee organizations, and only from fellow, nonsubordinate members of those organizations.

The Senate amendment also prescribes stricter sanctions than the House-passed bill. Under the Senate amendment, an employee found in violation of the Hatch Act, as reformed, would be subject to removal unless the members of the Merit Systems Protection Board voted unanimously to suspend the employee without pay for 30 days.

With two exceptions, the Senate amendment retains current law restrictions on running for partisan political office. The Senate amendment prohibits Federal and postal employees from running for nomination or as a candidate for election for partisan political office. I would note that a similar restriction is imposed upon State and local employees whose activities are funded in whole or in part by Federal funds. The House-passed bill would have treated employees of the District of Columbia as if they were State or local employees. The Senate amendment retains the practice of current law in applying the Hatch Act to District of Columbia employees as if they were employees of the Federal Government. The Senate amendment also retains provisions of current law permitting political activity by employees in certain communities pursuant to regulations issued by the Office of Personnel Management.

The Senate amendment modifies current law by permitting employees to seek and hold positions within political parties. The Senate amendment also repeals section 675(e) of the Community Services Block Grant Act and thereby removes the prohibition on the right of employees of nonprofit agencies receiving Federal funds under community block grant programs to seek partisan, political office.

The Senate amendment reforms provisions of current law intended to ensure that Federal personnel actions are free of political influence. Generally, the Senate amendment precludes Members of Congress, any elected official of

a State, or any other individual or organization from submitting recommendations on behalf of an employee or applicant under consideration for any personnel action except in specified circumstances in which such a statement provides relevant information regarding the qualifications of the individual.

Finally, the House-passed bill retained current law restrictions on the political activity of employees of the Federal Election Commission. The Senate amendment precludes a much broader group of Federal employees from engaging in partisan political activity, including members of the Senior Executive Service, law enforcement and intelligence agency employees, employees of agencies enforcing the civil service laws, administrative law judges and others, as well as Federal Election Commission employees.

In addition, the Senate amendment incorporates two provisions that are extraneous to the Hatch Act. The Senate has incorporated a Sense-of-the-Senate resolution regarding aid to Nicaragua. This resolution speaks only to the views of the other body and has no effect in law.

The Senate has also incorporated provisions permitting the garnishment of the pay of Federal and postal employees. The doctrine of sovereign immunity protects Federal employees from garnishment actions brought in accordance with State or local law. This provision provides a limited exception to the sovereign immunity doctrine to provide that all Federal employees generally will be subject to State or local garnishment laws to the same extent as other citizens. The provision includes language incorporating the protection of section 303 of the Consumer Credit Protection Act, which limits the percentage of wages that may be garnished, and also provides that child support and alimony judgments against a Federal employee's pay shall have precedence over garnishment orders. Finally, while permitting the garnishment of the pay of uniformed personnel, the bill includes special protection for service members in circumstances where their military duty precludes their presence at the garnishment proceeding.

While I would prefer to see the less restrictive provisions of the House bill enacted into law, it is my view that a conference with the Senate is unlikely to achieve that result. Furthermore, the almost certain delay that would result from requesting a conference with the other body could jeopardize the enactment of any reform of the Hatch Act in this Congress.

For more than half a century, the Hatch Act has denied Federal and postal employees the right to effectively participate in the selection of their Government. If there was ever justification for this second-class citizen-

ship, that justification long since ceased to exist. In 1934, less than 32 percent of a Federal work force of 950,000 was classified under the merit system. Now, 78.6 percent of the Federal work force is protected by a well-entrenched merit system that protects both Federal employees and the public from political influence and abuse. Yet, Federal and postal employees continued to be denied the most basic right of citizenship.

Under the Hatch Act, Federal employees retain the right to vote, but that right is rendered meaningless because they are denied the right to engage in active partisan political activity. Imagine that as Members of the House, we had no right to seek to inform others of our views on the issues before us, or to seek to influence how any of our colleagues voted. Would any of us claim that our right to vote in such circumstances was meaningful? Would any of us claim that the citizens of the former Soviet Union, who also had the right to vote but only among candidates chosen for them by others, had a meaningful right? Yet that, in essence, is the same circumstance that the Hatch Act has imposed upon Federal and postal employees for the last 50 years.

Today, this House has the historic opportunity to take the last legislative step to end this injustice and to restore to Federal and postal employees their most basic right of citizenship, the right to actively participate in the selection of their Government. This day has been a long time coming. I first introduced legislation to reform the Hatch Act in 1974. Counting our action earlier this year, the House of Representatives has passed legislation to reform the Hatch Act in five Congresses. Three times previously, the Congress has passed Hatch Act reform only to see it vetoed. But now things are different. The Senate has acted on legislation to restore to Federal workers the right to express their political views. The President stands committed to sign the legislation when it reaches his desk. It remains only for this House to adopt the motion before it to restore full citizenship to Federal and postal employees. I urge the adoption of the motion.

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

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this legislation. As our chairman, the gentleman from Missouri [Mr. CLAY] has said, it has been a long time in coming. In fact, this is the third time this year that this body has considered this legislation.

Through the years, more than 50 years ago, when this legislation was first introduced and the Hatch Act became a reality, it was very much need-

ed to protect Federal workers from superiors who used or abused them in the political system. But it has been abused to the point where political activities were prohibited, at least the interpretation by Federal employees that they could participate in any way whatsoever. In fact, some people have even told me that their families could not participate for fear of violating the Hatch Act.

So this legislation has been long needed.

As the chairman mentioned, the House bill passed earlier this year was a better bill. I think it gave much more rights to the individuals who do select and choose to work for the Federal Government, give them the opportunity to serve in public office if they so chose, and they would have to take a leave of absence.

The version we bring back to the floor now does not provide that.

□ 1610

The version now also includes about 85,000 Federal employees who will be continued under the Hatch Act; IRS auditors, as an example, who audit our tax returns will not be able to participate in the political structure, which I think probably is a good idea. There are other Federal Bureau of Investigation personnel, some of these higher officials will not be able to participate and still come under the Hatch Act. There are a number of other agencies, the CIA is another agency which will also continue to be covered under the Hatch Act.

But this legislation is good legislation. It has one provision added by the Senate which I certainly support, and that is that all Federal employees, including Members of Congress and congressional employees, now can be garnished if they do not pay their debts. It has been difficult to defend Federal employees who could hide behind this and not pay their debts and not be garnished; so now there can be garnishment through the efforts of my colleague, the gentleman from Indiana [Mr. JACOBS]. He has long been a proponent of this. He has been outspoken on this.

In the other body, the junior Senator from Idaho has worked hard to bring this about and got it in the Senate version. This was not in the House version, but it is now in the version that is going to go to the President.

Mr. Speaker, I think every Member here and I hope every Member can support this legislation, because once and for all we will be freeing up Federal employees to participate in this system of ours in electing our officials to public office to the extent that even now they can participate in the political parties. They will have to take leave if they run for office, but they will be able to participate in the political parties and participate in the system that keeps our Government free.

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

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Virginia [Ms. BYRNE].

Ms. BYRNE. Mr. Speaker, I rise today in support of the conference report to H.R. 20. Mr. Speaker, in 1939 the Hatch Act was established to protect Federal employees from being subjected to coercion by the elected officials who supervised them.

This once noble intention has turned into a form of punishment preventing Federal workers from exercising their first amendment rights.

For five decades, the Hatch Act has stopped Federal employees from taking part in the most basic political activities. And Federal workers have become a silent majority lacking the ability to exercise their political muscle.

This has been accomplished by forcing Federal employees into a maze of thousands of rules and regulations to discourage them from using their voice in the political system.

The other body's revisions exclude some civil service employees from the reforms—without recognizing that the political appointees had been the historic problem, not the civil servants—but I will support these amendments because we must unlock the yoke we have put around the necks of public servants.

While most Americans can campaign for candidates of their choice, Federal employees cannot. It is time that we extend these basic rights to the Federal workforce.

These hard working people deserve the same chance to participate in our political process as every other American. By allowing Federal employees—on their own time—to actively support and nominate candidates, we will be providing a voice to millions of Americans who have been held silent for years.

If we are going to truly reinvent Government, let us support this bill and give Federal employees the right of every other citizen.

Thanks to the Hatch Act reform legislation, Federal employees will finally have what every other American already has—the right to make their voice heard.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the distinguished former ranking Republican member, the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of the Senate amendment to H.R. 20, the Federal Employees Political Activities Act of 1993, otherwise known as the Hatch Act reform bill.

I want to commend our distinguished chairman of the Committee on Post Office and Civil Service, the gentleman from Missouri [Mr. CLAY], and the distinguished ranking member of the

committee, the gentleman from Indiana [Mr. MYERS], for their diligent leadership in bringing this legislation to the floor at this time.

It is my firm belief that under the provisions of H.R. 20, Federal employees will continue to carry out their official responsibilities with impartiality, while having the ability to exercise their political rights on their own time. The measure we are considering at this time contains both penalties for coercion and protections for our Federal employees. Moreover, a factor not present half a century ago but available today is the broad application of the merit system, which protects over three quarters of Federal workers and guarantees open competition and merit based promotion.

Under the Senate amendments, the house bill was modified to exclude several groups of Federal employees in sensitive positions from the Hatch Act reforms. Additionally, the Senate amendments prohibit Federal employees from running for political office, and soliciting PAC funds from the public.

While not perfect, the Senate amendments H.R. 20 allow Federal employees to more fully participate in the political process. Accordingly, I urge my colleagues to support this measure, allowing 3 million Americans to exercise their political rights.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Speaker, today I rise in support of H.R. 20, the much-needed revision to the Hatch Act.

Let me begin by extending my compliments and congratulations to my committee chair, the gentleman from Missouri [Mr. CLAY] for his hard work and outstanding effort in getting this measure before us today.

Now, I stand in a somewhat unique position. I represent more Federal employees than probably anyone in this Chamber. I represent 72,000 Federal employees. For all my political career, these Federal employees have been gagged. They have not been able to participate in even the basic rudiments of politics. They have not been able to hand out literature. They have not been able to work at the polls. They have not been able to participate in political fundraising.

Mr. Speaker, that is a shame, because around the world we promote democracy and we promote participatory democracy, because we believe that when people are able to participate in the democratic process, we have a better process; so I am delighted that this measure will allow us to take that gag off our Federal employees and allow them to participate fully in American politics.

Now, I understand there were concerns that there might be abuses in this regard, but those concerns I be-

lieve have been addressed in the final version of the bill. There are protections. Certain Federal employees will not be allowed to participate, those in law enforcement, those involved in tax audits and the like. They are not affected by this bill, but for the rank and file postal worker, the worker from the Interior Department, the Commerce Department, the Agriculture Department, it certainly is high time and about time that they be allowed to participate in politics.

The Hatch Act was well-intentioned in its origins, but unfortunately today it is a relic. We have adequate protections. I think it is an excellent idea that these Federal employees be allowed to participate fully, and I look forward to their participation in our local and national political scene.

Mr. MYERS of Indiana. Mr. Speaker, I yield such time as she may consume to a very hard-working member of our committee, the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, the time has finally come to reform—not repeal—the Hatch Act.

Mr. Speaker, we would not have reached this juncture without the persistence of the chairman of the Committee on Post Office and Civil Service, the gentleman from Missouri. He has sponsored Hatch Act reform legislation since 1974—now, almost 20 years later we will see most Federal and Postal employees receive some parity and rights that are available to all other citizens of our country—the right to participate, without retaliation, in partisan politics. I also applaud the efforts of the ranking member of the Committee on Post Office and Civil Service, the gentleman from Indiana, who has worked for many years to enact this measure. Because of the joint efforts of both of these Members, H.R. 20 enjoys bipartisan support.

I represent 51,000 Federal employees in the Eighth District of Maryland. I believe that they are knowledgeable, concerned, and law-abiding citizens. Many of these Federal employees may want to be actively involved in politics and many may not. The point is that those who choose to actively take part in partisan politics, on their own time, should have the opportunity to do so. In a democracy such as ours, we benefit from the exchange of ideas and active participation of our citizens. The pool of good ideas which will emanate from Federal and Postal employees is infinite.

When the Hatch Act was enacted in 1939, it was deemed necessary. This is a different era. Politics have changed: They are more open and under stricter scrutiny. The legislation before us is very specific in banning all politicking in the Federal workplace and, further,

the legislation provides stringent protection for Federal and Postal employees who choose to participate in politics and those who choose not to.

The bill is quite clear in enumerating criminal prohibitions for abuse of the act. Threats, intimidation, or coercion will not be tolerated.

What has ensued from the original bill is a maze of minor, hard to enforce, petty, and ridiculous regulations. As an example, just yesterday, a former colleague of mine called to find out whether her friend, a Federal employee, could help to decorate for her fundraiser. I look forward to telling her that, because of our action today, yes, she can.

The amended bill which we are considering today also provides for garnishment of Federal paychecks in the event of nonpayment of just debts. This would bring Federal sector debt collection in line with the private sector.

Again, I applaud the sponsor of H.R. 20 for his dogged persistence to right the wrongs which our Federal and Postal employees have suffered for 54 years.

At last, most of our Federal employees can have most of the privileges of citizenship.

□ 1620

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. ACKERMAN].

Mr. ACKERMAN. Mr. Speaker, I rise today to express my strong support for H.R. 20, the Federal Employees Political Activities Act.

Reform of the Hatch Act is long overdue. It is time that Federal employees have the same right as every American, to participate in our political system. H.R. 20 has been carefully crafted to strike a balance between granting Federal employees the right to be politically involved, while prohibiting them from soliciting or receiving campaign contributions, or participating as a candidate in any partisan election.

Allowing Federal employees to participate in partisan politics does not mean that the Government work force will become a forum for solicitations or campaigning.

This bill permits political activity while it also shields Federal employees from improper coercion.

The goal of the Federal work force to serve the public in an impartial manner will remain the same. The unions support it, the Federal employees support it, the Postal workers support it, and the Clinton administration supports it.

Now I ask you, my colleagues, to join me in supporting H.R. 20, the Federal Employees Political Activities Act.

Mr. MYERS of Indiana. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Indiana [Mr.

MYERS] for yielding this time to me, and, Mr. Speaker, I rise in the strongest possible support for this legislation.

As my colleagues know, it is unusual for liberals and conservatives to agree with one another. This happens to be one of those times when liberals and conservatives are like ice tongs. That is because ice tongs are far apart in the middle, but they sometimes meet at either end, and this happens to be one of those cases. For many years I have felt that the Hatch Act is an absolutely unconstitutional law which deprives good American citizens of their rights.

I have one concern, however, about the status of State and local employees' rights under the Hatch Act if they are paid in part by Federal funds. It appears that H.R. 20, while an excellent piece of legislation, regrettably does not directly affect the political status of those workers. For the purposes of establishing some legislative history and to clear up the questions many Members have regarding the status of these kinds of employees, I have several questions for the distinguished chairman.

What is the status of State and local government employees under the Federal Hatch Act?

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

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

Mr. CLAY. Chapter 15 of title V of the United States Code generally imposes restrictions on the political activities of State and local employees whose principal activities are funded in whole or in part by Federal funds. Such employees are prohibited from using official authority or influence to interfere with or affect the outcome of an election, may not coerce political contributions, and may not be a candidate for elective office.

Mr. SOLOMON. Is it the intent of H.R. 20 that State and Local employees are freed of any Hatch Act restrictions that might apply to them?

Mr. CLAY. H.R. 20 does not amend chapter 15 of title V. Frankly, while H.R. 20 does not amend chapter 15, it is my view that the restriction imposed by chapter 15 on the ability of certain State and local employees to seek elective office is unnecessarily restrictive.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Missouri [Mr. CLAY] for his position on this.

Mr. Speaker, it is too bad that this legislation does not deal with the section of the law that would allow us to repeal the prohibitions presently in effect against these people who are not even Federal employees.

I do appreciate the gentleman's support of legislation to correct this problem later on, and I congratulate him and the gentleman from Indiana [Mr. MYERS] for the outstanding efforts they have made in finally bringing this bill to the point where it is going to be signed into law in the very near future.

Mr. CLAY. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. MCCLOSKEY].

Mr. MCCLOSKEY. Mr. Speaker, as chairman of the Subcommittee on Civil Service, I am pleased to rise today in strong support of H.R. 20 as amended by the Senate. After many years of hard work by the chairman of the Committee on Post Office, WILLIAM CLAY, it appears legislation to lift certain restrictions on the Hatch Act is finally about to become law. This legislation is long overdue.

Today's Federal work force is no longer the same work force that existed in 1939. Our Federal workers are no longer patronage employees, but are established, professional employees who must meet their merit system standards and tough qualifications. The merit system principles ensure that the Federal employee will both protect and be protected from political influence and abuse. It is, therefore, necessary to free these employees from some of the constraints imposed by the Hatch Act.

Currently, under the Hatch Act, a Federal employee can contribute up to \$1,000 to a Federal candidate, while in-kind contributions such as stuffing envelopes or stapling yard signs are forbidden by law. Stapling yard signs is much easier than donating \$1,000 to a candidate for the average Federal employee. Under H.R. 20, Federal employees will be able to participate in a political party, affiliated organization or campaign as long as their activities do not interfere with the workplace.

This measure does not give the Federal employee free rein into the political process, it simply gives the Federal employee a certain amount of flexibility in their actions. Federal employees will not be able to run for partisan office, or solicit or receive contributions unless it is from a member of the same Federal employee organization. Furthermore, a number of Federal employees in politically sensitive positions still remain under the restrictions of the Hatch Act.

No other democracy restricts the political activities of its governmental work force. Voluntary political activity off the job is simply a basic constitutional right, and fundamental to a free and democratic society. I urge my colleagues to support the Senate amendment to H.R. 20.

Mr. CLAY. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS. Mr. Speaker, I rise in strong support of H.R. 20, and I thank the gentleman from Missouri [Mr. CLAY] and the gentleman from Indiana [Mr. MYERS] for the fine work that they have done in bringing us this far.

Mr. CLAY. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. JACOBS].

Mr. JACOBS. Mr. Speaker, I thank the gentleman from Missouri [Mr. CLAY] for yielding this time to me.

Mr. Speaker, I assert that this legislation lives up to its name as few other pieces of legislation ever have. It is reform. It reforms both ways. Right now Federal employees are second-class citizens, not fully participating in the system by which we make our final

choices in this country. At the same time Federal employees, 99 percent of them who never benefit from it, find themselves in the position of Henry VIII, with sovereign immunity from paying their bills if they choose not to. I think that has been an embarrassment to all of the rest of us in the Federal Government, and so the reform works both ways.

It is balanced. It is commendable. I hope it is passed.

Mr. MYERS of Indiana. Mr. Speaker, I yield 9 minutes to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, this bill is basically an anti-Federal-employee bill. I know there are going to be different people saying different things, but let me just tell my colleagues why I believe that. It is not a partisan issue, because the person who had this job before me, former Congressman Joe Fisher, was opposed to changing, and modifying and repealing the Hatch Act. Most Federal employees are honest and decent people, and this bill will politicize the Federal work force. I believe H.R. 20 will scuttle a policy that has been in effect from Thomas Jefferson's time.

Mr. Speaker, having been raised in Philadelphia, in south Philadelphia, and seeing the political pressure that can be brought on Federal employees, State employees, but particularly city employees, this bill is absolutely wrong. Has anyone focused on the fact that the White House, under the leadership of Mack McClarty, fired five Federal employees, career Federal employees, in the travel office because they did not do what somebody wanted?

□ 1630

I saw very few Members in this body stand up and speak for the travel office employees.

Now, let me tell you something about these career Federal employees. They almost all have legal bills of over \$20,000 each.

When a Member of Congress gets in trouble, what do they do? Oh, they write their financial supporters, and they get the money out of their campaign funds, and they take care of their legal fees.

Who will take care of the legal fees of these Federal employees? One of these individuals is my constituent. Who will take care of their legal fees? The answer is no one. No one under this bill. It is a bad bill.

Have you seen the reinventing of government that AL GORE wants? They are talking about RIF'ing 250,000 employees, and the Clinton administration wants to be able to pick what employees they buy out and move out.

Well, what is permitted will be what is expected. And if you do not participate in the political activity what will happen? In the old days they come by

and say, "You know, we are having a fundraiser for 'X' today. We would like you to buy five tickets at \$100 apiece."

What will happen? What will happen when they change the performance appraisal for the Federal employee and the employee is bumped out? What will happen to the man or woman who does not want to participate? Where is the support for changing the Hatch Act? Are Federal employees for this bill? Your offices have not been called by Federal employees. You have been called by Federal unions, you have been called by the White House, you have been called by special interests, but I doubt if you have ever been called by Federal employees.

I saw the last speaker, the gentleman from Virginia [Ms. BYRNE], who now represents most of the former congressional district that I had. Did she get any calls from Federal employees? I represented 65 percent of that district, and almost every Federal employee said do not repeal the Hatch Act. They said, "Congressman, it gives us the protection, so we don't have to participate in and make financial contributions to." They do not want it.

So where has the outcry been? Now, if you want to separate out the Postal Service, I think the chairman has a very good idea. The postal employees, fine. But the Federal employees are not asking for it. In addition, Mr. Speaker, you are now accepting the amendment that I tried to offer, which I was not given the chance to offer, but you know what you have done by accepting that? You have actually acknowledged, by exempting IRS and CIA employees, you have acknowledged that there is potential corruption.

Mr. Speaker, by accepting that amendment, you have acknowledged that there is a problem. So you do not want coercion on the CIA, but it is OK to coerce the Department of Labor or OSHA. You do not want to coerce the IRS, but it is OK to coerce meat inspectors or poultry inspectors. The bill is flawed by the very nature of that fact.

Lastly, I know the votes are not here to defeat this bill, because the wheels are rolling and this administration is going to sign it. This bill will probably be repealed again. I would hope that when the Republicans take control again, whenever that time may be, that we repeal this, because this is a bill that will bring about corruption. As the son of a Philadelphia policeman in the inner city, I saw what can happen. Back in Philadelphia if you even wanted a scholarship for somebody, you had to know somebody. And I know the next speaker is going to talk about it. You had to know somebody in the State legislature or be involved in the political process.

We do not want that in the Federal Government. We have an honest, ethical, moral, high-caliber Federal civil

service, and Federal employees are not crying for this bill. And I am not inferring that the gentleman would like to see that, but I believe this will happen.

We should not get the impression that everyone is for this bill. Common Cause is against it. The New York Times is against it. The Washington Times is against it. The Wall Street Journal, I heard the gentleman from New York say that is why the Wall Street Journal is against it.

Mr. Speaker, the Wall Street Journal is opposed to it, the Washington Times is opposed to it, the L.A. Times is opposed to it. It is a bad bill. I respect the gentlemen for their efforts to try to pass it. I really think it will be bad for Federal employees, and be bad for the Government. And I believe that we will see scandal coming very, very soon as a result of it.

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

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

Mr. CLAY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I just want to point out, I am sure the gentleman wants the RECORD to be straight, the amendment that the Senate added to this bill in reference to the IRS is now what the gentleman has been proposing.

Mr. WOLF. Mr. Speaker, yes. I wanted the IRS, the CIA, the FBI, the U.S. attorney, and on and on.

Mr. CLAY. Mr. Speaker, if the gentleman will further yield, the gentleman would have exempted all of the employees from the IRS, the CIA, the FBI, the Customs Office.

Mr. WOLF. The DEA.

Mr. CLAY. The Senate only exempted and we are only asking for approval of those people in the law enforcement agencies, a total of 85,000 employees of all of those agencies. Not the clerks, the messengers, and the typists and all. But the amendment of the gentleman from Virginia [Mr. WOLF] down through the years would have precluded any of those people from participation.

Mr. WOLF. Mr. Speaker, reclaiming my time, that is true. As the gentleman from Missouri [Mr. CLAY] knows, I would have liked to not have this bill come up, because I think the whole bill is a bad idea. So I wanted to exempt as many Federal employees as possible, because I did not want them to be coerced. I think the whole concept is a bad idea. Having come out of the background that I have come out of, I just think it would be unfortunate.

Mr. CLAY. Mr. Speaker, if the gentleman will yield further, I hope the gentleman is not saying that he does not trust Federal employees to obey the law.

Mr. WOLF. Mr. Speaker, I reclaim my time. The gentleman from Missouri [Mr. CLAY] asked a good, good question. Let me just stipulate for the

RECORD that I do trust the Federal employee. I trust the Democratic Federal employee and the Republican Federal employee. I will tell you who I do not trust: I do not trust the politician.

I have seen it happen in different administrations. Today five people at the White House have been destroyed. Their jobs are gone. This Congress has not raised any concern about it. The unions have not raised any concern about it. Were it not for the newspapers, nobody would have known. I do trust the employee. I implicitly want to state and reiterate that I do that. I do not trust the politicians in either party to not manipulate them.

Mr. CLAY. Mr. Speaker, if the gentleman will further yield, that is the problem with the Hatch Act, is it does not cover the people that the gentleman is citing as being in violation of this. The Secretary, the Cabinet members, all of the Presidential employees are not covered by the Hatch Act. They are the ones who have been in violation, who have been intimidating and coercing. So you do not get to them by keeping the other employees hatched.

Mr. WOLF. Mr. Speaker, reclaiming my time, I thank the gentleman. I know the sincerity of the gentleman from Missouri [Mr. CLAY], and I am not questioning that.

Mr. Speaker, we will see who is right. My sense tells me that we now have a Hatch Act violation taking place, if my memory serves me correctly, in the District of Columbia, which took place as this very bill was being developed.

Somewhere, in some administration, we will begin to feel it. What they will do is they will squeeze people who are powerless. I watched the five people in the White House Travel Office, one who is a constituent of mine, who has been almost financially as well as literally ruined by this. And even if they find another job for him, he will be at the bottom of the barrel. Because as we reinvent Government and RIF people, he will be gone.

I just do not want to see the political process get involved in that. Therefore, I strongly urge my colleagues to vote against this bill.

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

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

Mr. HOYER. Mr. Speaker, I just want the RECORD to reflect, the gentleman's statement about the five employees, who he cares very much about and with whom I have been working very closely with, and the White House, I think we are going to solve it. I do want to make it clear, they are not going to be at the bottom of the barrel. They will transfer laterally.

Mr. WOLF. Mr. Speaker, I know the gentleman has been working closely with this.

Mr. Speaker, I rise today as I did on February 23 and March 3 of this year in opposi-

tion to the final passage of H.R. 20. This ill-conceived legislation will repeal protections against political coercion which have been effective for the past 54 years. Federal employees have the daunting responsibility of executing the public's business fairly, faithfully, and impartially. This is what the Hatch Act effectively ensures and is what the American people deserve.

The Federal employee must be free of both actual and perceived political coercion and protected from involuntary partisan activities, thereby maintaining the public's faith in our governmental institutions. Without sufficient protection from the maligning influence of partisanship, democracy suffers and public trust erodes. Public confidence in the administrative institutions and processes of Government may be dangerously undermined with passage of this bill. The public's confidence in the integrity of its civil service must be absolute and that is what current law provides. We have an honest, dedicated civil service today and there has been no outcry from the Federal work force to change the Hatch Act protections.

In passing this bill, I am concerned that we may unintentionally expose the honorable men and women who work as civil servants to unwanted political coercion; thereby diminishing the integrity and effectiveness of Federal employees and their mission. This legislation could return us to the days of a government that favors the spoils system over the merit system and party loyalty over public integrity. Employment and advancement in the Government service should not depend on political performance, and employees should be free from express or tacit political coercion which results from the politicization of the Federal work force. Enactment of H.R. 20 will scuttle a policy that has been in place and working well since Thomas Jefferson was President; namely, that partisan politicking by Federal workers should be discouraged in order to maintain the integrity and accountability of a Federal work force.

Today, this House is declaring political open season on our dedicated Federal employees. I fear that what is permitted will be what is expected, and Federal employees will be expected to do the political bidding of their superiors. If Federal employees do not fulfill the political demands placed on them they may risk promotions, unbiased performance appraisals, they may be transferred or demoted, or they may even lose their jobs. This politicization of the Federal work force will lead to scandals of the most audacious order.

Already, the White House has fired career Federal employees in the White House travel office under allegations of misconduct which has never been substantiated, and filled the jobs with patronage employees. One of the employees of the travel office is a constituent of mine, and I am concerned about his welfare as well as the welfare of the thousands of Federal workers that I represent. What happened to those fired travel office employees? to protect their reputations, all had to incur the expense of hiring attorneys following the initial allegations made about them by the White House press and the FBI investigation. In addition to having to bear this demeaning treatment and suffering through allegations and innuendo, I am informed that these employees

have legal fees in excess of \$20,000. The White House was quick to politicize these non-political jobs. Watch out when the protections of the Hatch Act are lifted.

I also have a concern with how this bill and the National Performance Review will work together. President Clinton is intent on trimming the Federal work force by over 200,000 employees and he proposes to do so, in part, by offering buyouts. Who will be offered the buyouts? What is the criteria? Will it only be employees with differing political views that are offered buyouts because the administration does not want them around any longer? It has been reported in the press that the administration wants the authority to handpick employees for buyouts. I am concerned that those handpicked may be those not on the political train of the party in power. Once the Federal work force is purged of all those Federal employees with different political leanings and replaced by political cronies, scandal, patronage, and old style machine politics may well be on the way to Washington. Repeal of the Hatch Act is a bad idea and Members should vote against it.

Proponents of this legislation opine that H.R. 20 contains sufficient protection and adequate penalties to dissuade those who would otherwise attempt to politicize the jobs of Federal employees. I disagree. No legislation can protect Federal employees from the subtle and indirect coercion that will take place. This body should be discouraging political harassment rather than encouraging it.

Members should know that the version of Hatch Act repeal that this House is about to pass contains provisions of an amendment I would have offered on the House floor had the Rules Committee not prohibited me from doing so. This amendment keeps current Hatch Act restrictions on approximately 85,000 high-level employees—including employees of the Federal Bureau of Investigation, Central Intelligence Agency, Secret Service, National Security Agency, Federal Election Commission, Merit System Protection Board, Internal Revenue Service criminal investigative officers, Bureau of Alcohol, Tobacco and Firearms law enforcement section, administrative law judges, certain contract officers, and members of the Senior Executive Service.

By keeping current Hatch Act restrictions on these employees, we are admitting that there is indeed the potential for corruption and coercion which could undermine the missions of these critical agencies. If we can't protect these high-level, high-profile employees, how can we expect to protect the lower level employee from the type of treatment the White House travel office employees received?

During previous consideration of H.R. 20 on February 23, the comment was made that I am opposed to passage of this bill because I don't trust Federal employees. I must emphatically disagree and let the Members know that I am opposed to this legislation because I do not trust the politicians. Politicians are notorious for exploiting any opportunity to gain political advantage, and I believe political pressure will be exerted on civil servants as a result of Hatch Act repeal.

I believe that the Nation's taxpayers enjoy the finest civil service work force in the world, and I have the highest respect and admiration

for Federal employees. During my service in the House I have represented one of the largest constituencies of Federal employees of any Member. I am a strong supporter of legislation that rewards the sacrifices made by Federal civil servants. I have worked hard to lift the pay cap on Federal salaries. It was my legislation that established relocation services for Federal workers, reformed the merit pay system, and set up over 90 child care centers in Government facilities. I have encouraged such family friendly policies such as leave sharing, flexitime, and flexiplace—programs that enhance the quality of life for Federal employees and their families. I am sensitive to their needs and have listened to their concerns about a variety of issues of concern to them, including H.R. 20.

In keeping with my unwavering commitment to protecting the interests of Federal employees, I want Federal employees to know that I will watch very closely how this legislation is implemented and will remain vigilant in protecting them from the unwanted political coercion encouraged by this bill. Furthermore, I want Federal employees to know that I will ask the Office of Special Counsel and the Merit System Protection Board to report on the effects of this legislation when they come before the Treasury, Postal Service, and General Government Appropriations Subcommittee on which I serve.

Mr. Speaker, I am opposed to H.R. 20 because I am concerned that Federal employees will be subject to political coercion of the most atrocious kind. Common Cause and the Public Service Research Council are opposed to this legislation; the Washington Times, the New York Times, the Los Angeles Times, and the Wall Street Journal among other publications have editorialized against the bill. I have included two recent articles in opposition to this misguided legislation for the RECORD.

[From the New York Times, July 15, 1993]

SAVE THE HATCH ACT

It's greed time in the nation's capital. Congressional Democrats, grateful for years of generous campaign giving by Federal and postal union political action committees—and eager for more help in the future—are about to relax Hatch Act restrictions on "active" partisan political activity by Federal employees.

From the public's standpoint and that of Federal Workers who would face pressures to give money and time to partisan causes, it's a bad idea. But the House approved a bill in March, and President Clinton says he will sign any Hatch Act revision that Congress serves up. Thus, some weakening of the 1939 act seems inevitable this year.

The extent of the overhaul is now squarely before the Senate. The Senate majority leader, George Mitchell, and his Democratic colleagues can show character by accepting a reasonable Republican proposal that would maintain current Hatch Act restrictions for the most sensitive Government posts and agencies, and keep all Federal employees out of the political fund-raising game.

Critics of the Hatch Act complain it stifles the political rights of Federal employees. But even "Hatched" workers can vote, make political contributions and participate in their off hours in nonpartisan political activities. While some of the rules are needlessly complex, the remaining curbs on partisan activity, designed to protect the public

from a politically tainted Civil Service, have been upheld by the Supreme Court.

Unlike the aggressively misguided revision rushed through the House in March, the measure proposed in the Senate by John Glenn, Democrat of Ohio, would still prohibit Federal employees from running for partisan elected office and soliciting political contributions from the public. However like a similar measure wisely vetoed in 1990 by President Bush, the Glenn bill would allow civil servants to serve after working hours as active party and campaign workers and, more troubling, to solicit co-workers for contributions to their union's PAC's. Mr. Glenn provides penalties for coercion, but they are inadequate to protect Federal employees, who can now turn aside political overtures by saying, "Sorry, I'm Hatched."

The Senate minority leader, Bob Dole, and Senator William Roth, Republican of Delaware, have now proposed a reasonable compromise. Their amendment would exempt from the proposed relaxation on partisan politicking high-ranking career employees across Government who work closely with political appointees. It also excludes the intelligence services and other sensitive agencies like the Justice Department and International Revenue Service, where maintaining the perception and reality of non-partisanship is crucial. All Federal employees would be barred from soliciting, accepting or receiving political contributions.

For now, Senate Democrats seem determined to get Federal civil servants in the business of hustling political contributions from their co-workers. That makes it plainer than ever: The Democrats' biggest concern here isn't free speech or good government but political money and influence.

UN-HATCHING A MONSTER

(By George F. Will)

To President Clinton's criticism of Congress as dilatory and indecisive, a reasonable response is: Would that it were. Congress is decisively "reforming" the Hatch Act, and this is part of a pattern of Congress acting boldly concerning what it cares about most. And what is that? Read on.

The New Deal radically quickened the permeation of life by politics, expanding federal power and the potential for abuse thereof. The 1938 elections produced a Congress made more conservative by the electorate's repudiation of Roosevelt's desire to "pack" (by expanding) the Supreme Court. In 1939 Congress passed the Hatch Act (named for Sen. Carl Hatch, a New Mexico Democrat) to halt the coercing of federal employees into partisan politics.

Today's Senate "reform" of that act is substantially less awful than the House version. For example, the House would allow federal employees to solicit political contributions from the general public; the Senate would allow solicitation only within the employee's organization. The House bill does not even have the Senate bill's prohibition of partisan political activities by employees of such sensitive agencies as the CIA and the IRS office of criminal investigation.

Even so, the Senate prohibition covers just 2.8 percent (85,000) of the 3 million federal civilian and postal service workers. And both bills would serve the goal of making the federal bureaucracy into a muscular partisan lobby, thereby deepening the incestuous nature of government decision making.

Contemporary government is another country. Government's distinctive culture produces a mentality unlike that of the society on which it batters. The federal govern-

ment, imperial in scale and even grander in presumption, dominates this company town where few competing elites leaven, or lower the vanity of, the political class. The gutting of the Hatch Act will unleash the permanent government to work for the election of Congresses and presidents who favor the further fattening of that government.

The "reform" will advance the already far-advanced transformation of the government into the largest interest group lobbying the government. A few years ago a scholar studied 14 House and Senate committee hearings about spending issues. Of the 1,060 witnesses who testified, 47 percent were federal administrators, 10 percent were state or local government officials and 6 percent were senators or congressmen petitioning their colleagues. Today's government is a monologue; wherein government convinces itself that there should be more of itself.

That is the way Washington already is. Changing the Hatch Act will make matters worse. Federal employees will form political action committees to elect the Congress that pays their salaries and sets their portions of the budget. Which party will benefit most? A hint: Only one Democratic Senator (Oklahoma's David Boren) voted against the change.

The Democratic Party is the party of government, in two senses. It has a capacious faith in government's goodness and competence. Also government itself, and those dependent on government, form the party's core constituency.

This dependent class does not consist only, or even primarily, of the poor on welfare. It also includes the largest recipients of transfer payments—the elderly—and the beneficiaries of "business welfare," which includes agricultural subsidies, protectionist measures and subventions in the name of "industrial policy." And if the Clinton administration has its way, the capstone of this architecture of dependency will be a health care system that further politicizes the one-seventh of the economy concerned with health care, and will deepen the public's sense of dependence on a "caring" (read: spending) government.

Congress' gutting of the Hatch Act is part of a pattern of notably decisive behavior. In January the House of Representatives quickly gave enhanced voting privileges to the five delegates—all Democrats, of course—representing Guam, Samoa, the Virgin Islands, Puerto Rico and the District of Columbia. The Senate has briskly passed a campaign "reform" that would enhance incumbents' security. It would use various coercions to compel challengers to accept spending limits, thereby surrendering their ability to compensate for incumbents' advantages by outspending those incumbents. The House has not accepted the Senate's campaign reform because enhancing the security of House incumbents requires a different sort of rigging of the rules.

Congress was not at all dilatory when it passed the "motor voter" bill requiring states to register anyone 18 or older applying for or renewing a driver's license, and to have registration available at all offices that provide public assistance, unemployment compensation or related services. The latter places will register people especially dependent on government and hence disproportionately disposed to vote Democratic.

Seen as part of a pattern of power aggrandizement by the political class and especially by Democrats, the party of government, the Hatch Act reform seems almost banal and, for that reason particularly ominous. Still conservatives have a not inconsiderable consolation. The Hatch Act reform

serves their goal of deepening distrust of government's order to limit government.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Speaker, I rise today in strong support of Hatch Act reform. I have always stood in support of restoring the rights of Federal employees to engage in the political process. There is no reason why a postal employee or a welder at the Philadelphia Naval Shipyard would be denied the right to participate in the political system.

I have been concerned, however, about possible abuse by FBI, INS, IRS, and CIA officers who could intimidate voters, explicitly or implicitly. Over the years, I have proposed amendments to restrain these small classes of Federal investigative employees from engaging in politics.

Imagine the pressure an IRS or an immigration agent could exert in a close-knit urban neighborhood? We cannot allow even a hint of this potential for abuse to taint the electoral process.

With the restrictions included by the Senate, I am happy to stand in strong support of the Hatch Act reform bill. I commend Chairman CLAY for his diligence in attaining this reform. I urge my colleagues to support the Senate amendments to H.R. 20.

□ 1640

Mr. MYERS of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding time to me.

In this bill, the ability to garnish Federal wages is certainly a step in the right direction. But I find it somewhat surprising to hear this bill called a reform bill.

The Hatch Act was the reform. Fifty years ago, it was designed to end political coercion of Federal employees. And now, after that 50-plus years, we are backtracking on that commitment to a nonpartisan Federal service.

The claim is that there are protections in this bill against political coercion. I went to the bill. I have looked at section 610, titled "Coercion of Political Activity."

What I find is that it is probable that the White House Travel Office officials talked about by the gentleman earlier, the gentleman from Virginia, would not have been protected under this section. I wonder if somebody can tell me, it looks as though it would certainly have applied to those people. Yet my doubt is that Mac McLarty at the White House would go to jail or be fined \$5,000. And yet, that is the supposed protection.

I mean, if the protection does not work, then what good is the protection?

I heard the gentleman earlier say, well, Cabinet officials, White House

people, do not have to be included. So in other words, if the Cabinet official applies the coercion, he is not subject to these fines or he is not subject to the imprisonment. What good is that to the Federal employee?

And the gentleman is shaking his head. That is not what the gentleman said earlier.

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

Mr. WALKER. I yield to the gentleman from Missouri.

Mr. CLAY. Mr. Speaker, anybody who coerces a Federal employee falls under the criminal statute of title V.

Mr. WALKER. In other words, under this bill, if this bill had been in effect, would Mac McLarty have gone to jail for what he did to those White House Travel Office employees?

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

Mr. WALKER. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, the answer is, of course not. The gentleman ought to know, of course not, because when they took those jobs, they became political appointees. In fact, some of them were appointed by Democratic Presidents, some by Republican.

Mr. WALKER. Mr. Speaker, these are career employees.

Mr. HOYER. Mr. Speaker, if the gentleman will continue to yield, they were subject to removal at whim, at whim, no reason had to be given.

Mr. WALKER. Any employee of the Federal Government shall not engage in this. And it says here that it includes any political activity. And then it describes some. And it says it is not limited to those.

What was happening down there was certainly political in nature. It was wholly political in what they were attempting to do. They were trying to give a political job to someone else.

It seems to me that these protections are nonexistent.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, I rise today to urge support of H.R. 20, the Hatch Act Reform Amendments of 1993, a bill which ends most of the limitations on Federal employees' basic political rights and reinvigorates the principles of democracy and self-determination in the civil service.

The Hatch Act has had a perverse effect. It has been rarely applied, observed often in the breach, breeding disrespect for legitimate principles that should apply to Federal employees. By not distinguishing legitimate regulations from trivia and downright illegitimate areas for Government intervention, the Hatch Act created an obstacle course that even the most law-abiding and diligent employee could not negotiate without a rule book in her hand.

This bill is a responsible and informed piece of legislation that recognizes that there are differences between civil servants who must serve, regardless of administration, and employees in the private sector. Thus, thoughtful and constrained Federal law is appropriate.

What is inappropriate in a democracy is invidious discrimination based on employment status. The Federal work force is well-informed, well-educated, and often, because of the subject matter of the various missions they perform, is probably more civic-minded than others.

This bill, thus, restores civil rights to Federal employees and will encourage their participation in the life of our democracy and, in doing so, will help preserve its responsiveness to Americans of all sectors.

At the same time, Mr. Speaker, there is completely irrational, anomalous discrimination that remains in this bill that I protest in the strongest terms. The bill treats District of Columbia government employees like Federal employees under the Hatch Act. This is a total affront to home rule and self-government.

District law and regulation more than covers inappropriate conduct with measures at least as stern as any proposed here. Why should the Federal Government, in the process of downsizing its own personnel, reach out to regulate civil servants in a local jurisdiction?

Surely, it is wrong to regulate one local non-Federal jurisdiction more sternly than any other in our 50 States and four territories. This bill, like too many in the past, is marred by yet another exception which puts the Capital of this Nation outside the principles of democracy and self-determination which apply to every other resident of the United States of America.

To the credit of this House, the District was removed from our own bill, but those opposed to any form of Hatch Act reform used the District to express their displeasure. A conference was blocked in the other body, making corrective action impossible in this body.

The result is that the District's 41,000 employees are subjected to greater limitations on their basic rights of free political expression than their counterparts in other State and local jurisdictions.

Mr. Speaker, for this reason, I would vote against this bill, except that this would punish the 62,000 Federal employees who live in the District while gaining nothing for the 41,000 District employees whom this bill targets for deliberate discrimination.

I serve notice now that I will seek to make District employees the equal of employees in other State and local jurisdictions. I pledge today to work to eliminate the shameful distinction we create today.

I congratulate the chairman for his perseverance in rescuing Federal employees from this same discrimination.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding time to me. I congratulate the chairman and the ranking member for the outstanding work that they have done on this piece of legislation.

I am pleased to join my colleagues from the Washington metropolitan suburbs, the gentlewoman from Maryland [Mrs. MORELLA], and the gentleman from Maryland [Mr. WYNN], in support of this legislation.

After a decade of gridlock, we have an opportunity today to move Hatch Act reform forward. The President is willing to sign this bill, and the Senate passed this version of Hatch Act reform by a strong bipartisan majority.

This afternoon's vote is the next-to-last step in guaranteeing Federal employees the opportunity to participate more fully in our democracy. The right to vote is only one part of the freedoms for which our forefathers fought and which we cherish as Americans.

H.R. 20 will go beyond the right to vote and give Federal employees the right to hold elected positions within party organizations as well as the opportunity to work in partisan elections.

I strongly urge my colleagues to do as I have done five other times on this floor and support Hatch Act reform.

Today's vote is more important than the other votes we have cast on this issue, because today's vote will actually bring to the President a bill which he will sign into law.

I trust that a majority of my colleagues will vote to give Federal employees the same constitutionally guaranteed rights that the Hatch Act took away from them in 1939.

I would add that I served in the Maryland State Senate for 12 years. As is true of State employees in Virginia, employees in the State of Maryland can fully participate in the political elections of their State. Their full participation is unfettered by the same constraints which say that because one performs services for the Federal Government, they are somehow less than a full citizen.

□ 1650

I pointed out to my colleague, for whom I have unrestrained respect and who I think is one of the most conscientious and honest people on this floor, that he and I have a disagreement on this issue. I believe strongly this is an issue about Federal employees and the respect they receive in their democracy. For that reason, it ought to pass.

I will be equally vigilant, Mr. Speaker, with my colleague, the gentleman

from Virginia, if I see abuses. No law can fully preclude an abuse. We know that. However, this law has been strengthened to make sure that a Cabinet Secretary, the President of the United States, or anybody else who tries to go around this law and force Federal employees to participate in partisan activities against that employee's wishes, will be in violation of this act. That is appropriate.

It is equally appropriate to give Federal employees, however, the opportunity to be full members of our democracy.

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

Mr. CLAY. Mr. Speaker, I have one speaker remaining.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter, on the bill, H.R. 20, and the Senate amendment thereto.

The SPEAKER pro tempore (Mr. FRANK of Massachusetts). Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLAY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the distinguished gentleman from Missouri for yielding time to me.

Mr. Speaker, I want to thank the gentleman for his hard work on this bill. I know he kicked this bill out many years ago over and over and over again. It almost became the Bill Clay Memorial Hatch Act.

When I took over the subcommittee from him, I have pushed it out many a time, and now finally it looks like we might get a signature on the bill. Mr. Speaker, this bill has been almost a career bill for us, but it is so long overdue for Federal employees. I only wish we could have had it more in the form we would have liked to have had it, rather than have to deal with the other body.

However, this is a very big step forward for Federal employees in making them full citizens, full citizens under the law. We are not quite where we would like to be, but we are on our way, and that is such an essential element. When we see things that have been done to Federal employees of late, constantly chipping away at them, talking about taking away benefits from them, doing all these other things, at least let us restore some of their political power so they can participate more fully, so they can have constitutional rights that other people have had as a birthright, and so they can really come of age.

It always made no sense to me that the people who knew the most about Government were not allowed to vote

and participate very strongly in Government. They could vote, but it had to be very quiet and very laid-back.

I thank the gentleman from Missouri [Mr. CLAY] and everybody on the committee who worked so hard to make this happen. I know there were many days we did not think it would. I think we are all looking forward to smelling the roses and watching the ink dry on this bill.

Mr. MYERS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have not always been a supporter of this legislation. Years ago I could not support it because I did not feel it gave the ample support and protection, both support and protection, to Federal employees. It still left a big gap where Federal employees could be abused in the system.

In response to those who have been critical of the bill today, it is not the ideal legislation, not the best bill. It is not as good a bill as passed the House originally, but legislation is a compromise. It takes a big step in the right direction toward freeing up Federal employees to participate in what I consider to be their constitutional right, and most of us consider to be their constitutional right, to participate in the political system that got all of us here. It would free these people up.

The Hatch Act has served its time, served its purpose. It still left a lot of loopholes, a lot of ambiguity in the law, just as the gentleman from New York [Mr. SOLOMON] expressed a moment ago.

I just left, to come over here, a meeting with a president of a Federal Reserve Bank and members of his staff. I asked him, in leaving, "Are you under the Hatch Act?" They shrugged their shoulders. They did not know. Many Federal employees are this way.

I quite agree with the gentleman from Virginia [Mr. GOODLATTE]. I know some Federal employees who would rather not have this. They have expressed that they would rather stay completely free of the political system. They do not want to be asked to participate in the political system, but they do not have to because this legislation frees them up. They do not have to participate.

This legislation does take a big step in the right direction. It is a better bill than the law we have today, but again, it is not as good a bill as the one that passed the House, but it is a compromise. It is legislation I hope everyone can support.

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

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

Mr. Speaker, let me say in closing that there are many, many people that should be thanked for bringing us to this point in time on the floor today. In particular, two ex-Members of Congress certainly should be recognized.

We should not close this debate without acknowledging the efforts of former Member Gene Taylor, the gentleman from Missouri, and former Member Frank Horton, the gentleman from New York, who played a major and key role in putting together the kind of coalition and compromise to achieve the work we see going today to the President of the United States for his signature.

Mr. FORD of Michigan. Mr. Speaker, I rise in favor of H.R. 20, long overdue legislation that would repeal most provisions of the 54-year-old Hatch Act and return to Federal and postal employees the right to participate in the Nation's political process.

I want to compliment Chairman CLAY for the 20 years of leadership he has demonstrated in guiding us to this final debate. As his predecessor as chairman of the Post Office and Civil Service Committee, I was disappointed by President Bush's veto of an earlier version of this important legislation. Today that frustration is being washed away, because President Clinton is going to sign this bill into law.

It is important to understand that under Chairman CLAY's leadership, H.R. 20 was developed over succeeding Congresses, beginning during the administration of Republican President Ford. It is the product of bipartisan compromise. It returns to the House after further compromise with a more modest Senate version of the bill.

The bill would give most Federal workers the right to participate fully in the political process off the job, though they would not be able to run for partisan political office themselves. They would be able to manage campaigns, solicit contributions, work on phone banks and hold positions within political parties and affiliated organizations.

But employees would continue to be prohibited from engaging in partisan political activity while on duty. The bill would not turn the Federal workplace into a political arena. This is a system that has worked well for many States and even for foreign governments.

The bill contains strong, clear criminal prohibitions of abuses of official influence. It would prohibit employees from intimidating, threatening, commanding, or coercing any Federal employee to engage or not engage in any political activity—voting, making political contributions, working for candidates, or refusing to engage in these activities. It would forbid employees from giving political contributions to their superiors, and forbid superiors from soliciting contributions. Violators would be subject to criminal penalties.

Since it was enacted in 1939, the Hatch Act has denied our Nation the benefit of hearing from thousands of our best informed citizens on issues that come before us. We did so, without congressional hearings, because of the fear that the rapidly expanding bureaucracy of the New Deal could bend to political manipulation.

That concern no longer reflects the times. Today we have a firmly established merit system that protects both employees and the public from political abuses that might result from employee political activities.

It is vital in a democracy to have citizen participation. And that should include all citizens,

without exception for those who happen to work for federal agencies. As our democracy does not compel political participation by any group, neither should it forbid it.

H.R. 20 has as its primary proposition the belief that Federal employees should be free to engage in any political activity off the job. I am proud to support that proposition and this bill.

Mrs. KENNELLY. Mr. Speaker, I rise today to express my support for the Federal Employees' Political Activities Act. Its time has come. This legislation now before us has been debated for many years. In fact, it has passed this body in the 100th and 101st Congresses.

While the Senate amendments do not envelop all of the House passed provisions, this measure eliminates ambiguity of current law. Federal workers are permitted to participate in the political process while being shielded from political influence or coercion. This measure provides much clearer definitions of permissible and impermissible activities, and establishes strict guidelines for proper conduct. Strong enforcement mechanisms are established in this bill to provide against abuse of the current merit system.

Granting Federal workers the right to participate in partisan politics is long overdue. This bill is a step in the right direction. After all, there is no other country in the world that restricts the activities of the men and women who serve their governments.

Mr. Speaker, the time has come for us to take action and send this bill to a President who will sign it and grant Federal workers rights they have been denied. For far too long, we have refused thousands of citizens rights to participate in their communities. Let us not fail those who dedicate their lives to serving this Nation. Federal employees bear much responsibility in this country. Let us give them what they rightly deserve. I hope in the future that we can move even further than this legislation takes us. But today, I urge my colleagues to support H.R. 20 as amended.

Mr. VENTO. Mr. Speaker, I rise once again to affirm my support for the millions of Federal and Postal Service employees who desire and deserve the full rights of citizenship that every other American enjoys. The Hatch Act, which has prevented them from participating in our free democratic process, must be laid to rest.

I would certainly prefer that the language before us today were closer to that which the House agreed to earlier this year. I simply do not share the opinion of the other body that it is somehow better for our Nation to deny Federal and Postal employees the right to run for most elective offices any more than I believed that barring these workers from participating in the political process in the first place was in our best interest. Our Nation's call to the best and brightest to serve their country has a somewhat hollow ring to it when we categorically restrict individuals who unquestionably fit this criteria.

Nevertheless, Mr. Speaker, it is also true that a hungry person should never balk at half a loaf of bread simply because the full loaf is not offered to them. The Federal Employees' Political Activities Act which is before us, Senate amendments included, remains a balanced, workable answer to the unfortunate problems created by the Hatch Act.

Quite frankly, the Hatch Act has outlived its purpose. Its primary function is now to repress those individuals it was intended to protect. Its numerous and complex statutes are ill-defined. They generate an ambiguous environment for Federal workers, whose uncertainty about what is permissible and what is not has kept them from having anything to do with the political process.

Mr. Speaker, the political environment we find ourselves in today is dramatically different from that of the past. Public employees do not need protection from a system of spoils that no longer exists. Civil service laws, a separate system of merit protection, and public employee unions now serve to counter the political intrusion that was once so prevalent in Federal employment.

By supporting the legislation before us, we are ensuring that Federal and Postal Service employees, full American citizens, can take advantage of their rights as citizens; they can fully involve themselves in a supportive role in the political process or they can choose not to. But the decision will be theirs to make.

Mr. Speaker, the wisdom of this legislation is clear. Let's make a positive difference today and support H.R. 20. As I have said before, it is essential that we who represent the final product of America's democratic political process recognize not only the need, but the essential right and obligation of all citizens to participate in that process.

I urge my colleagues to vote for passage of the Federal Employees' Political Activities Act.

Mr. PORTMAN. Mr. Speaker, unbelievably, the House is on the verge of passing a bill that undermines protections against politicizing the Federal bureaucracy at a time when trust in our Government institutions is already at an all time low. Earlier this year, the House and Senate passed separate Hatch Act reform bills to relax restrictions on the ability of 3 million Federal employees to engage in partisan political activity. The legislation now before us removes protections against political coercion of Federal workers and risks reviving the political favoritism that created the spoils system. This development is as dangerous as it is unwise.

The Hatch Act restrictions have worked for 54 years. The act was passed in 1939 in response to concern that Federal employees had been coerced to contribute to Franklin Roosevelt's reelection campaign and that civil service jobs were being awarded on the basis of campaign involvement. FDR wisely supported the act as a good government measure. The goals of this legislation—to ensure the neutrality of the civil service and the impartial administration of Government, to promote a merit-based system and to protect Federal employees against undue coercion—date back well before 1939. Thomas Jefferson wrote in 1801 that "it is expected that, a civil servant will not attempt to influence the votes of others, nor take any part in the business of electioneering, that being deemed inconsistent with the spirit of the Constitution and his duties to it."

It is difficult to understand the motivations for changing this time-honored rule of American democracy. Has human nature changed so much that political favoritism and coercion are no longer risks of our growing bureaucracy? Are our institutions of Government more

noble? Are the courts or the Federal employees themselves clamoring for change? The answer in each case is no.

Certainly human nature has not fundamentally changed since the Hatch Act was passed in 1939. If anything, Watergate and the scandals that have followed have made us more wary of Government power and the temptation to wield that power inappropriately. Travelgate is but the most recent example of how politics all too often factors heavily into decisions to award Government positions or favors. Furthermore, Federal employees themselves are not clamoring for this reform. Under the current Hatch Act, Federal workers can vote, make political contributions, and volunteer in their nonoffice hours for nonpartisan political activities. Based on recent polls, the great majority of Federal workers find this degree of political activity adequate and like the protections the act gives them against coercion and favoritism.

Neither are the courts insisting upon change. The Supreme Court has upheld the constitutionality of the Hatch Act and stated in 1974, "it is in the best interest of the country, indeed essential, that Federal service should depend upon meritorious performance rather than political service." First amendment rights are viewed in the context of preserving the public trust—the Court held that we must

*** arrive at a balance between the interests of the [employee], as a citizen, in commenting upon matters for public concern and the interest of the [government], as an employer, in promoting the efficiency of the public services it performs through its employees.

Some have alleged that these changes are pure partisan politics—that is, those lobbying for reform simply want to free up Federal employees to create a new organization of partisan activities. In its recent editorial criticizing the Hatch Act reform, the New York Times has gone so far as to say, "The Democrats' biggest concern here isn't free speech or good government but political money and influence." Maybe this explains it.

So what kind of activity would these proposed erosions of the Hatch Act protections allow? Federal employees for the first time could take an active part in political campaigns, including distributing campaign literature and organizing and participating in phone banks. Federal workers could also run for office within party organizations and affiliated groups, such as party chairman or convention delegate, and solicit campaign contributions from peers for political action committees.

The Federal Government is more pervasive than ever on our society affecting many aspects of our lives. These proposed changes will add to the discomfort many already feel about the expanding Federal role. As one group queried the Senate Governmental Affairs Committee, how would we feel if an employee of the Social Security Administration collected signatures for a politician's nominating petition and then was in a position to accept or reject a benefit claim from someone who had refused to sign the nominating petition? How do we feel about an IRS agent that has a political agenda on the side or a Government department that actively supports a

candidate and does not award a Federal contract to a group that supported another candidate?

At the very least, there is the appearance of impropriety, the temptation to engage in favoritism and subtle pressures to go along with those in power. It isn't surprising that most Federal employees prefer, in the face of coercion, to hide the current protection by simply saying that they are Hatched and cannot participate.

We have the opportunity to stop this politicization of the Federal Government if we possess the courage to do so. Hatch Act reform will give birth to a new era, where there are no longer adequate protections against subtle forms of political favoritism and implicit coercion of Federal workers. Let's stick to promotions based on merit, encourage a Federal bureaucracy that prides itself on public service for service sake and maintain the integrity in our Government. The Founders, Congress, the courts and the Federal employees have all previously recognized the value of these protections. We need them more today than ever.

Mr. SAWYER. Mr. Speaker, I rise in strong support of the Federal Employees' Political Activities Act of 1993, as amended by the Senate.

In 1939, the Hatch Act was an effective tool in protecting Federal employees from political coercion. The act has served its purpose. Today, however, the competitive civil service process guards against politicization of the government work force. The original, and important, purpose of the Hatch Act is being met through subsequent and equally or more effective laws.

It is time to give our Federal and postal employees the freedom to exercise their political rights away from the workplace. The denial of this fundamental right to participate fully in the political process has rendered these employees second-class citizens. Enactment of this legislation will correct that injustice.

I want to thank Chairman BILL CLAY, the bill's sponsor, for his determination in the effort to reform the antiquated Hatch Act. I strongly urge my colleagues to vote in favor of this long overdue legislation.

Mr. PENNY. Mr. Speaker, I rise today in full support of H.R. 20, the Federal Employees' Political Activities Act. This legislation will end the unfair regulations which prohibit Federal employees from exercising their right to participate in the political process in this country. The bill allows Federal employees to engage in certain political activities but only in the evenings and on weekends when they are away from their workplace.

Mr. Speaker, I am opposed, however, to an amendment which was attached to H.R. 20 in the U.S. Senate. This amendment—which has nothing to do with the Hatch Act—expresses the sense of Congress that no further U.S. foreign assistance should be provided to Nicaragua prior to an international investigation of the Sandinista Party in relation to acts of terrorism.

This amendment has no business being attached to legislation which deals with Federal employees. This amendment is also wrong because it unfairly punishes the people of Nicaragua—75 percent of whom live in extreme poverty—because of allegations surrounding a

political party. To date, there has been no evidence that anyone in the government of Nicaragua has been involved in terrorism. These allegations should be investigated, and steps are now underway to do just that, but I don't believe that the innocent people who would benefit from our humanitarian assistance should be punished before there is solid evidence linking the government of Nicaragua to acts of terrorism.

Mr. Speaker, I ask Members to support H.R. 20; however, I also urge Members to reject further efforts by those who are calling for a cut-off of foreign assistance to Nicaragua.

Ms. WOOLSEY. Mr. Speaker, I rise in strong support of the conference report on H.R. 20, the Federal Employees' Political Activities Act. This legislation simply clarifies the original Hatch Act to ensure that citizens, regardless of their place of employment, have a chance to participate in the democratic process.

For decades, and especially since 1985, the Hatch Act of 1939 has had a chilling effect on the political involvement of millions of Americans who are Federal and Post Office employees. I agree that Federal employees must not use their offices for partisan political purposes. This bill, however, sets forth strict guidelines governing precisely which activities Federal employees may engage in. It reinforces the original intent of the act, while allowing Federal employees to be politically active on their own time, away from the work site. It is vitally important to achieve such a balance if this country is to encourage true and active participation in government.

Mr. Speaker, this is fair compromise. I urge my colleagues in both bodies to vote in favor of immediate passage and finally put this issue to rest.

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

The SPEAKER pro tempore. Pursuant to House Resolution 251, the previous question is ordered on the motion.

The question is on the motion offered by the gentleman from Missouri [Mr. CLAY].

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 339, nays 85, not voting 9, as follows:

[Roll No. 437]

YEAS—339

Ackerman	Barcia	Berman
Andrews (ME)	Barlow	Bevill
Andrews (NJ)	Barrett (WI)	Bilbray
Andrews (TX)	Bartlett	Bilirakis
Applegate	Becerra	Bishop
Bacchus (FL)	Bentley	Blackwell
Barca	Bereuter	Billey

Blute
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burton
Buyer
Byrne
Calvert
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Dreier
Duncan
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Farr
Fazio
Fields (LA)
Fliner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Grandy
Green
Gunderson
Gutierrez

Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Hefner
Hilliard
Hinchev
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Houghton
Hoyer
Hughes
Hutto
Inslie
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kleczka
Klein
Klink
Klug
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Lehman
Levin
Levy
Lewis (GA)
Lightfoot
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-
Mezvisinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery

Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roemer
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenck
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skellton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Solomon
Spence
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton

Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento

Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten

Wise
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—85

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Barton
Bateman
Beilenson
Boehner
Bonilla
Bunning
Callahan
Camp
Canady
Coble
Combest
Cox
Crane
Crapo
Cunningham
DeLay
Doolittle
Dornan
Dunn
Ewing
Fawell

Fields (TX)
Fowler
Franks (CT)
Gillmor
Goodlatte
Grams
Greenwood
Hancock
Herger
Hoekstra
Huffington
Hunter
Hutchinson
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Kingston
Knollenberg
Kyl
Leach
Lewis (CA)
Lewis (FL)
Linder
Livingston
Manzullo
McCandless

McCollum
McCrery
McKeon
Mica
Moorhead
Nussle
Oxley
Packard
Paxon
Pombo
Porter
Portman
Roberts
Rogers
Rohrabacher
Royce
Sensenbrenner
Shuster
Smith (MI)
Smith (TX)
Snowe
Stearns
Stump
Talent
Taylor (NC)
Walker
Wolf

NOT VOTING—9

Abercrombie
Baesler
Ford (TN)

Rose
Shaw
Spratt

Trafigant
Williams
Wilson

□ 1718

Messrs. CAMP, COX, MCCOLLUM, and SMITH of Texas changed their vote from "yea" to "nay."

Mr. FARR of California and Mr. GALLEGLY changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Pursuant to clause 5, rule I, the Chair will now put the question on final passage of H.R. 808, and then on each motion to suspend the rules on which further proceedings were postponed earlier today, in the order in which that motion was entertained.

Votes will be taken in the following order:

H.R. 808, by the yeas and nays; H.R. 3019, de novo; S. 464, de novo; H.R. 2056, de novo; H.R. 2294, de novo; H.R. 3051, de novo; H.R. 3049, de novo; H.R. 2961, de novo; H.R. 2604; de novo; and approval of the Journal.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

JAMES B. STANLEY

The SPEAKER pro tempore. The pending business is the question of the passage of the bill, H.R. 808, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on passage of the bill.

This vote will be taken by electronic device. This will be a 15-minute vote, and this will be followed by a series of 5-minute votes.

The vote was taken by electronic device, and there were—yeas 425, nays 0, answered "present" 1, not voting 7, as follows:

[Roll No. 438]

YEAS—425

Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Coyne
Cramer
Crane
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Billrakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest

Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cunningham
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Fliner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Franks (NY)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gilman
Gingrich

Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hochbrueckner
Hoke
Holden
Horn
Houghton
Hoyer
Hughes
Hutto
Inglis
Inhofe
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl

LaFalce	Neal (NC)	Shuster
Lambert	Nussle	Sisisky
Lancaster	Oberstar	Skaggs
Lantos	Obey	Skeen
LaRocco	Olver	Skelton
Laughlin	Ortiz	Slattery
Lazio	Orton	Slaughter
Leach	Owens	Smith (IA)
Lehman	Oxley	Smith (MI)
Levin	Packard	Smith (NJ)
Levy	Pallone	Smith (OR)
Lewis (CA)	Parker	Smith (TX)
Lewis (FL)	Pastor	Snowe
Lewis (GA)	Paxon	Solomon
Lightfoot	Payne (NJ)	Spence
Linder	Payne (VA)	Spratt
Lipinski	Pelosi	Stark
Livingston	Penny	Stearns
Lloyd	Peterson (FL)	Stenholm
Long	Peterson (MN)	Stokes
Lowey	Petri	Strickland
Machtley	Pickett	Studds
Maloney	Pickle	Stump
Mann	Pombo	Stupak
Manton	Pomeroy	Sundquist
Manzullo	Porter	Swett
Margolies-	Portman	Swift
Mezvinsky	Poshard	Synar
Markey	Price (NC)	Talent
Martinez	Pryce (OH)	Tanner
Matsui	Quillen	Tauzin
Mazzoli	Quinn	Taylor (MS)
McCandless	Rahall	Taylor (NC)
McCloskey	Ramstad	Tejeda
McColum	Rangel	Thomas (CA)
McCrery	Ravenel	Thomas (WY)
McCurdy	Reed	Thompson
McDade	Regula	Thornton
McDermott	Reynolds	Thurman
McHale	Richardson	Torkildsen
McHugh	Ridge	Torres
McInnis	Roberts	Torricelli
McKeon	Roemer	Towns
McKinney	Rogers	Tucker
McMillan	Rohrabacher	Unsoeld
McNulty	Ros-Lehtinen	Upton
Meehan	Rostenkowski	Valentine
Meek	Roth	Velazquez
Menendez	Roukema	Vento
Meyers	Rowland	Visclosky
Mfume	Roybal-Allard	Volkmer
Mica	Royce	Vucanovich
Michel	Rush	Walker
Miller (CA)	Sabo	Walsh
Miller (FL)	Sanders	Washington
Mineta	Sangmeister	Waters
Minge	Santorium	Watt
Mink	Sarpaluis	Waxman
Moakley	Sawyer	Weldon
Molinari	Saxton	Wheat
Mollohan	Schaefer	Whitten
Montgomery	Schenk	Wise
Moorhead	Schiff	Wolf
Moran	Schroeder	Woolsey
Morella	Schumer	Wyden
Murphy	Scott	Wynn
Murtha	Sensenbrenner	Yates
Myers	Serrano	Young (AK)
Nadler	Sharp	Young (FL)
Natcher	Shays	Zeliff
Neal (MA)	Shepherd	Zimmer

provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each motion to suspend the rules and on approval of the Journal on which the Chair has postponed further proceedings.

PERFORMANCE MANAGEMENT AND RECOGNITION SYSTEM TERMINATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3019, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia [Ms. NORTON] that the House suspend the rules and pass the bill, H.R. 3019.

The question was taken.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote which will be followed by several other votes. Members have 5 minutes to record their vote.

The vote was taken by electronic device, and there were—ayes 426, noes 1, not voting 6, as follows:

[Roll No. 439]

AYES—426

Ackerman	Brown (OH)	Derrick
Allard	Bryant	Deutsch
Andrews (ME)	Bunning	Diaz-Balart
Andrews (NJ)	Burton	Dickey
Andrews (TX)	Buyer	Dicks
Applegate	Byrne	Dingell
Archer	Callahan	Dixon
Armey	Calvert	Dooley
Bacchus (FL)	Camp	Doolittle
Bacchus (AL)	Canady	Dornan
Baesler	Cantwell	Dreier
Baker (CA)	Cardin	Duncan
Baker (LA)	Carr	Dunn
Ballenger	Castle	Durbin
Barca	Chapman	Edwards (CA)
Barcia	Clay	Edwards (TX)
Barlow	Clayton	Emerson
Barrett (NE)	Clement	Engel
Barrett (WI)	Clinger	English (AZ)
Bartlett	Clyburn	English (OK)
Barton	Coble	Eshoo
Bateman	Coleman	Evans
Becerra	Collins (GA)	Everett
Bellenson	Collins (IL)	Ewing
Bentley	Collins (MI)	Farr
Bereuter	Combest	Fawell
Berman	Condit	Fazio
Bevill	Conyers	Fields (LA)
Billbray	Cooper	Fields (TX)
Billirakis	Coppersmith	Filner
Bishop	Costello	Fingerhut
Blackwell	Cox	Fish
Bliley	Coyne	Flake
Blute	Cramer	Foglietta
Boehert	Crane	Ford (MI)
Boehner	Crapo	Ford (TN)
Bonilla	Cunningham	Fowler
Bonior	Danner	Frank (MA)
Borski	Darden	Franks (CT)
Boucher	de la Garza	Franks (NJ)
Brewster	Deal	Frost
Brooks	DeFazio	Furse
Browder	DeLauro	Gallely
Brown (CA)	DeLay	Gallo
Brown (FL)	Dellums	Gejdenson
Gekas		
Gephardt		
Geren		
Gibbons		
Gilchrest		
Gillmor		
Gilman		
Gingrich		
Glickman		
Gonzalez		
Goodlatte		
Goodling		
Gordon		
Goss		
Grams		
Grandy		
Green		
Greenwood		
Gunderson		
Gutierrez		
Hall (OH)		
Hall (TX)		
Hamburg		
Hamilton		
Hancock		
Hansen		
Harman		
Hastert		
Hastings		
Hayes		
Hefley		
Hefner		
Herger		
Hilliard		
Hinchee		
Hoagland		
Hobson		
Hochbrueckner		
Hoekstra		
Hoke		
Holden		
Horn		
Houghton		
Hoyer		
Huffington		
Hughes		
Hunter		
Hutchinson		
Hutto		
Hyde		
Inglis		
Inhofe		
Inslee		
Istook		
Jacobs		
Jefferson		
Johnson (CT)		
Johnson (GA)		
Johnson (SD)		
Johnson, E.B.		
Johnson, Sam		
Johnston		
Kanjorski		
Kaptur		
Kasich		
Kennedy		
Kennelly		
Kildee		
Kim		
King		
Kingston		
Kleczka		
Klein		
Klink		
Klug		
Knollenberg		
Kolbe		
Kopetski		
Kreidler		
Kyl		
LaFalce		
Lambert		
Lancaster		
Lantos		
LaRocco		
Laughlin		
Lazio		
Leach		
Lehman		
Levin		
Lewis (CA)		
Lewis (FL)		
Lewis (GA)		
Lightfoot		
Linder		
Lipinski		
Livingston		
Lloyd		
Long		
Lowey		
Machtley		
Maloney		
Mann		
Manton		
Manzullo		
Margolies-		
Mezvinsky		
Markey		
Martinez		
Matsui		
Mazzoli		
McCandless		
McCloskey		
McColum		
McCrery		
McCurdy		
McDade		
McDermott		
McHale		
McHugh		
McInnis		
McKeon		
McKinney		
McMillan		
McNulty		
Meehan		
Meek		
Menendez		
Meyers		
Mfume		
Mica		
Michel		
Miller (CA)		
Miller (FL)		
Mineta		
Minge		
Mink		
Moakley		
Molinari		
Mollohan		
Montgomery		
Moorhead		
Moran		
Morella		
Murphy		
Murtha		
Myers		
Nadler		
Natcher		
Neal (MA)		
Roemer		
Rogers		
Rohrabacher		
Ros-Lehtinen		
Rostenkowski		
Roth		
Roukema		
Roland		
Roybal-Allard		
Royce		
Roybal-Allard		
Royce		
Rush		
Sabo		
Sanders		
Sangmeister		
Santorium		
Sarpaluis		
Sawyer		
Saxton		
Schaefer		
Schenk		
Schiff		
Schroeder		
Schumer		
Scott		
Sensenbrenner		
Serrano		
Sharp		
Shays		
Shepherd		
Stearns		
Stenholm		
Stokes		
Strickland		
Studds		
Stump		
Stupak		
Sundquist		
Swett		
Swift		
Synar		
Talent		
Tanner		
Tauzin		
Taylor (MS)		
Taylor (NC)		
Tejeda		
Thomas (CA)		
Thomas (WY)		
Thompson		
Thornton		
Thurman		
Torkildsen		
Torres		
Torricelli		
Towns		
Tucker		
Unsoeld		
Upton		
Valentine		
Velazquez		
Vento		
Visclosky		
Volkmer		
Vucanovich		
Walker		
Walsh		
Washington		
Waters		
Watt		
Waxman		
Weldon		
Whitten		
Wise		
Wolf		
Woolsey		
Wyden		

ANSWERED "PRESENT"—1

Istook

NOT VOTING—7

Abercrombie	Shaw	Wilson
Ford (TN)	Trafficant	
Rose	Williams	

□ 1738

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Pursuant to the

Wynn Young (AK) Zeliff
 Yates Young (FL) Zimmer

NOES—1

Penny

NOT VOTING—6

Abercrombie Shaw Williams
 Rose Trafficant Wilson

□ 1747

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ROSS BASS POST OFFICE

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The pending business is the question of suspending the rules and passing the Senate bill, S. 464.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan [Miss COLLINS] that the House suspend the rules and pass the Senate bill, S. 464.

The question was taken.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. The Chair will remind Members this will be 5-minute vote, followed by further 5-minute votes.

The vote was taken by electronic device, and there were—ayes 420, noes 3, not voting 10, as follows:

[Roll No. 440]

AYES—420

Ackerman	Borski	Cramer
Allard	Boucher	Crane
Andrews (ME)	Brewster	Crapo
Andrews (NJ)	Brooks	Danner
Andrews (TX)	Browder	Darden
Applegate	Brown (CA)	de la Garza
Archer	Brown (FL)	Deal
Army	Brown (OH)	DeFazio
Bacchus (FL)	Bunning	DeLauro
Bachus (AL)	Burton	DeLay
Baesler	Buyer	Dellums
Baker (CA)	Byrne	Derrick
Baker (LA)	Callahan	Deutsch
Ballenger	Calvert	Diaz-Balart
Barca	Camp	Dickey
Barcia	Canady	Dicks
Barlow	Cantwell	Dingell
Barrett (NE)	Cardin	Dixon
Barrett (WI)	Carr	Dooley
Bartlett	Castle	Doolittle
Barton	Chapman	Dornan
Bateman	Clay	Dreier
Becerra	Clayton	Duncan
Beilenson	Clement	Dunn
Bentley	Clinger	Durbin
Bereuter	Clyburn	Edwards (CA)
Berman	Coble	Edwards (TX)
Bevill	Coleman	Emerson
Bilbray	Collins (GA)	Engel
Bilirakis	Collins (IL)	English (AZ)
Bishop	Collins (MI)	English (OK)
Blackwell	Combest	Eshoo
Billey	Condit	Evans
Blute	Cooper	Everett
Boehlert	Coppersmith	Ewing
Boehner	Costello	Farr
Bonilla	Cox	Fawell
Bonior	Coyne	Fazio

Fields (LA)	LaFalce	Porter	Vucanovich	Wheat	Yates
Fields (TX)	Lambert	Portman	Walker	Whitten	Young (AK)
Finer	Lancaster	Poshard	Walsh	Wise	Young (FL)
Fingerhut	Lantos	Price (NC)	Washington	Wolf	Zeliff
Fish	LaRocco	Pryce (OH)	Waters	Woolsey	Zimmer
Flake	Laughlin	Quillen	Waxman	Wyden	
Foglietta	Lazio	Quinn	Weldon	Wynn	
Ford (MI)	Leach	Rahall			
Ford (TN)	Lehman	Ramstad			
Fowler	Levin	Rangel	Cunningham	Huffington	Sensenbrenner
Frank (MA)	Levy	Ravenel			
Franks (CT)	Lewis (CA)	Reed			
Franks (NJ)	Lewis (FL)	Regula	Abercrombie	Rose	Williams
Frost	Lewis (GA)	Reynolds	Bryant	Shaw	Wilson
Furse	Lightfoot	Richardson	Conyers	Trafficant	
Galleghy	Linder	Ridge	Hoke	Watt	
Gallo	Lipinski	Roberts			
Gejdenson	Livingston	Roemer			
Gekas	Lloyd	Rogers			
Gephardt	Long	Rohrabacher			
Geren	Lowe	Ros-Lehtinen			
Gibbons	Machtley	Rostenkowski			
Gilchrest	Maloney	Roth			
Gillmor	Mann	Roukema			
Gilman	Manton	Rowland			
Gingrich	Manzullo	Royal-Allard			
Glickman	Margolies-	Royce			
Gonzalez	Mezvinsky	Rush			
Goodlatte	Markey	Sabo			
Goodling	Martinez	Sanders			
Gordon	Matsui	Sangmeister			
Goss	Mazzoli	Santorum			
Grams	McCandless	Sarpalius			
Grandy	McCloskey	Sawyer			
Green	McCollum	Saxton			
Greenwood	McCrery	Schaefer			
Gunderson	McCurdy	Schenk			
Gutierrez	McDade	Schiff			
Hall (OH)	McDermott	Schroeder			
Hall (TX)	McHale	Schumer			
Hamburg	McHugh	Scott			
Hamilton	McInnis	Serrano			
Hancock	McKeon	Sharp			
Hansen	McKinney	Shays			
Harman	McMillan	Shepherd			
Hastert	McNulty	Shuster			
Hastings	Meehan	Sisisky			
Hayes	Meek	Skaggs			
Hefley	Menendez	Skeen			
Hefner	Meyers	Skelton			
Herger	Mfume	Slattery			
Hilliard	Mica	Slaughter			
Hinchee	Michel	Smith (IA)			
Hoagland	Miller (CA)	Smith (MI)			
Hobson	Miller (FL)	Smith (NJ)			
Hochbrueckner	Mineta	Smith (OR)			
Hoekstra	Minge	Smith (TX)			
Holden	Mink	Snowe			
Horn	Moakley	Solomon			
Houghton	Molinari	Spence			
Hoyer	Mollohan	Spratt			
Hughes	Montgomery	Stark			
Hunter	Moorhead	Stearns			
Hutchinson	Moran	Stenholm			
Hutto	Morella	Stokes			
Hyde	Murphy	Strickland			
Inglis	Murtha	Studds			
Inhofe	Myers	Stump			
Inslee	Nadler	Stupak			
Istook	Natcher	Sundquist			
Jacobs	Neal (MA)	Swett			
Jefferson	Neal (NC)	Swift			
Johnson (CT)	Nussle	Synar			
Johnson (GA)	Oberstar	Talent			
Johnson (SD)	Obey	Tanner			
Johnson, E.B.	Oliver	Tauzin			
Johnson, Sam	Ortiz	Taylor (MS)			
Johnston	Orton	Taylor (NC)			
Kanjorski	Owens	Tejeda			
Kaptur	Oxley	Thomas (CA)			
Kasich	Packard	Thomas (WY)			
Kennedy	Pallone	Thompson			
Kennelly	Parker	Thornton			
Kildee	Pastor	Thurman			
Kim	Paxon	Torkildsen			
King	Payne (NJ)	Torres			
Kingston	Payne (VA)	Toricelli			
Kleczka	Pelosi	Towns			
Klein	Penny	Tucker			
Klink	Peterson (FL)	Unsoeld			
Klug	Peterson (MN)	Upton			
Knollenberg	Petri	Valentine			
Kolbe	Pickett	Velazquez			
Kopetski	Pickle	Vento			
Kreidler	Pombo	Visclosky			
Kyl	Pomeroy	Volkmer			

Wheat
Whitten
Wise
Wolf
Woolsey
Wyden
Wynn

NOES—3

Cunningham
Huffington
Sensenbrenner

NOT VOTING—10

Abercrombie
Bryant
Conyers
Hoke

Rose
Shaw
Trafficant
Watt

□ 1756

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SAMUEL E. PERRY POST OFFICE BUILDING

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The pending business is the question of suspending the rules and passing the bill, H.R. 2056, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan [Miss COLLINS] that the House suspend the rules and pass the bill, H.R. 2056, as amended.

The question was taken.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. The Chair will advise Members, this is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 423, noes 2, not voting 8, as follows:

[Roll No. 441]

AYES—423

Ackerman	Bilirakis	Castle
Allard	Bishop	Chapman
Andrews (ME)	Blackwell	Clay
Andrews (NJ)	Billey	Clayton
Andrews (TX)	Blute	Clement
Applegate	Boehlert	Clinger
Archer	Boehner	Clyburn
Army	Bonilla	Coble
Bacchus (FL)	Bonior	Coleman
Bachus (AL)	Borski	Collins (GA)
Baesler	Boucher	Collins (IL)
Baker (CA)	Brewster	Collins (MI)
Baker (LA)	Brooks	Combest
Ballenger	Browder	Condit
Barca	Brown (CA)	Conyers
Barcia	Brown (FL)	Cooper
Barlow	Brown (OH)	Coppersmith
Barrett (NE)	Bryant	Costello
Barrett (WI)	Bunning	Cox
Bartlett	Burton	Coyne
Barton	Buyer	Cramer
Bateman	Byrne	Crane
Becerra	Callahan	Crapo
Beilenson	Calvert	Cunningham
Bentley	Camp	Danner
Bereuter	Canady	Darden
Berman	Cantwell	de la Garza
Bevill	Cardin	Deal
Bilbray	Carr	DeFazio

DeLauro Inhofe Myers
 DeLay Insee Nadler
 Dellums Istook Natcher
 Derrick Jacobs Neal (MA)
 Deutsch Jefferson Neal (NC)
 Diaz-Balart Johnson (CT)
 Dickey Johnson (GA)
 Dicks Johnson (SD)
 Dingell Johnson, E.B.
 Dixon Johnson, Sam
 Dooley Johnston
 Doolittle Kanjorski
 Dornan Kaptur
 Dreier Kasich
 Duncan Kennedy
 Durbin Kennelly
 Edwards (TX) Kildee
 Emerson Kim
 Engel King
 English (AZ) Kingston
 English (OK) Kleczka
 Eshoo Klein
 Evans Klink
 Everett Klug
 Farr Knollenberg
 Fawell Kolbe
 Fazio Kopetski
 Fields (LA) Kreidler
 Fields (TX) Kyl
 Filner LaFalce
 Fingerhut Lambert
 Fish Lancaster
 Flake Lantos
 Foglietta LaRocco
 Ford (MI) Laughlin
 Ford (TN) Lazio
 Fowler Leach
 Frank (MA) Lehman
 Franks (CT) Levin
 Franks (NJ) Levy
 Frost Lewis (CA)
 Furse Lewis (FL)
 Gallegly Lewis (GA)
 Gallo Lightfoot
 Gejdenson Linder
 Gekas Lipinski
 Gephardt Livingston
 Geren Lloyd
 Gibbons Long
 Gilchrest Lowey
 Gillmor Machtley
 Gilman Maloney
 Gingrich Mann
 Glickman Manton
 Gonzalez Manzullo
 Goodlatte Margolies-
 Goodling Mezvinsky
 Gordon Markey
 Goss Martinez
 Grams Matsui
 Grandy Mazzoli
 Green McCandless
 Greenwood McCloskey
 Gunderson McCollum
 Gutierrez McCrery
 Hall (OH) McCurdy
 Hall (TX) McDade
 Hamburg McDermott
 Hamilton McHale
 Hancock McHugh
 Hansen McInnis
 Harman McKeon
 Hastert McKinney
 Hastings McMillan
 Hayes McNulty
 Hefley Meehan
 Hefner Meeke
 Hergert Menendez
 Hilliard Meyers
 Hinchey Mfume
 Hoagland Mica
 Hobson Michel
 Hochbrueckner Miller (CA)
 Hoekstra Miller (FL)
 Hoke Mineta
 Holden Minge
 Horn Mink
 Houghton Moakley
 Hoyer Molinari
 Huffington Mollohan
 Hughes Montgomery
 Hunter Moorhead
 Hutchinson Moran
 Hutto Morella
 Hyde Murphy
 Inglis Murtha

Stump Torkildsen Watt
 Stupak Torres Waxman
 Sundquist Torricelli Weldon
 Swett Towns Wheat
 Neal (MA) Tucker Whitten
 Swift Unsoeld Wise
 Synar Upton Wolf
 Talent Valentine Woolsey
 Tanner Velazquez Wyden
 Tauzin Vento Wynn
 Taylor (MS) Visclosky Yates
 Taylor (NC) Volkmer Young (AK)
 Tejada Vucanovich Young (FL)
 Thomas (CA) Walker Zeliff
 Thomas (WY) Walsh Zimmer
 Thompson Washington
 Thornton Waters
 Thurman

Coleman Hastings McNulty
 Collins (GA) Hayes Meehan
 Collins (IL) Hefley Meeke
 Collins (MI) Hefner Menendez
 Combust Hergert Meyers
 Condit Hilliard Mfume
 Conyers Hinchey Mica
 Cooper Hoagland Michel
 Coppersmith Hobson Miller (CA)
 Costello Hochbrueckner Miller (FL)
 Cox Hoekstra Mineta
 Coyne Hoke Minge
 Cramer Holden Mink
 Crane Horn Moakley
 Crapo Houghton Molinari
 Danner Hoyer Mollohan
 Darden Hughes Montgomery
 Darden de la Garza Moorhead
 Deal Hunter Moran
 DeFazio Hutchinson Morella
 DeLauro Hutto Morella
 DeLay Hyde Murphy
 Dellums Inglis Murtha
 Derrick Inhofe Myers
 Deutsch Istook Nadler
 Diaz-Balart Jacobs Natcher
 Dickey Jefferson Neal (MA)
 Dicks Johnson (CT) Neal (NC)
 Dingell Johnson (GA) Oberstar
 Dixon Johnson (SD) Obey
 Dooley Johnson, E.B. Oliver
 Doolittle Johnson, Sam Ortiz
 Dornan Johnston Orton
 Dreier Kanjorski Owens
 Duncan Kaptur Oxley
 Dunn Kasich Packard
 Durbin Kennedy Pallone
 Edwards (CA) Kennelly Parker
 Edwards (TX) Kildee Pastor
 Emerson Kim Paxon
 Engel King Payne (NJ)
 English (AZ) Kingston Payne (VA)
 English (OK) Kleczka Pelosi
 Eshoo Klein Penny
 Evans Klink Peterson (FL)
 Everett Klug Peterson (MN)
 Ewing Knollenberg Petri
 Fawell Kolbe Pickett
 Fazio Kopetski Pickle
 Fields (LA) Kreidler Pombo
 Fields (TX) Kyl Pomeroy
 Filner LaFalce Porter
 Fingerhut Lambert Portman
 Fish Lancaster Poshard
 Flake Lantos Price (NC)
 Foglietta LaRocco Pryce (OH)
 Ford (MI) Laughlin Quillen
 Ford (TN) Lazio Quinn
 Fowler Leach Rahall
 Frank (MA) Lehman Ramstad
 Franks (CT) Levin Rangel
 Franks (NJ) Levy Ravenel
 Frost Lewis (CA) Reed
 Furse Lewis (FL) Regula
 Gallegly Lewis (GA) Reynolds
 Gallo Lightfoot Richardson
 Gejdenson Linder Ridge
 Gekas Lipinski Roberts
 Gephardt Livingston Roemer
 Geren Lloyd Rogers
 Gibbons Long Rohrabacher
 Gilchrest Lowey Ros-Lehtinen
 Gillmor Machtley Rostenkowski
 Gilman Maloney Roth
 Gingrich Mann Roukema
 Glickman Manton Rowland
 Gonzalez Manzullo Roybal-Allard
 Goodlatte Margolies- Royce
 Goodling Mezvinsky Rush
 Gordon Markey Sabo
 Goss Martinez Sanders
 Grams Matsui Sangmeister
 Grandy Mazzoli Santorum
 Green McCandless Sarpalis
 Greenwood McCloskey Sawyer
 Gunderson McCollum Saxton
 Gutierrez McCrery Schaefer
 Hall (OH) McCurdy Schenk
 Hall (TX) McDade Schiff
 Hamburg McDermott Schroeder
 Hamilton McHale Schumer
 Hancock McHugh Scott
 Hansen McInnis Serrano
 Harman McKeon Sharp
 Hastert McKinney Shays
 Hastings McMillan Shepherd
 Hayes McNulty Shuster
 Hefley Meehan Sisisky
 Hefner Meeke Skaggs
 Hergert Menendez Skeen
 Hilliard Meyers Skelton
 Hinchey Mfume Slattery
 Hoagland Mica Slaughter
 Hobson Michel Smith (IA)
 Hochbrueckner Miller (CA) Smith (MI)
 Hoekstra Miller (FL) Smith (NJ)
 Hoke Mineta Smith (OR)
 Holden Minge Smith (TX)
 Horn Mink Snowe
 Houghton Moakley Solomon
 Hoyer Molinari Spence
 Huffington Mollohan Spratt
 Hughes Montgomery Stark
 Hunter Moorhead Stearns
 Hutchinson Moran Stenholm
 Hutto Morella Stokes
 Hyde Murphy Strickland
 Inglis Murtha Studts

NOES—2
 Dunn
 Sensenbrenner

NOT VOTING—8
 Abercrombie Rose Williams
 Edwards (CA) Shaw Wilson
 Ewing Traficant

□ 1805

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to redesignate the Post Office building located at 600 Princess Anne Street in Fredericksburg, Virginia, as the 'Samuel E. Perry Post Office Building'."

A motion to reconsider was laid on the table.

GRAHAM B. PURSELL, JR., POST OFFICE BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2294, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan [Miss COLLINS] that the House suspend the rules and pass the bill, H.R. 2294, as amended, on which the yeas and nays are ordered.

The Chair will remind Members that this is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 4, not voting 7, as follows:

[Roll No. 442]

AYES—422

Ackerman
 Allard
 Andrews (ME)
 Andrews (NJ)
 Andrews (TX)
 Applegate
 Archer
 Armev
 Bacchus (FL)
 Bachus (AL)
 Baesler
 Baker (CA)
 Baker (LA)
 Ballenger
 Barca
 Barcia
 Barlow
 Barrett (NE)
 Barrett (WI)
 Bartlett
 Barton
 Bateman

Becerra
 Bellenson
 Bentley
 Bereuter
 Berman
 Beville
 Bilbray
 Bilirakis
 Bishop
 Blackwell
 Billey
 Blute
 Boehlert
 Boehner
 Bonilla
 Bonior
 Borski
 Boucher
 Brewster
 Brooks
 Browder
 Brown (CA)

Brown (FL)
 Brown (OH)
 Bryant
 Bunning
 Burton
 Buyer
 Byrne
 Callahan
 Calvert
 Camp
 Canady
 Cantwell
 Cardin
 Carr
 Castle
 Chapman
 Clay
 Clayton
 Clement
 Clinger
 Clyburn
 Coble

Coleman
 Collins (GA)
 Collins (IL)
 Collins (MI)
 Combust
 Condit
 Conyers
 Cooper
 Coppersmith
 Costello
 Cox
 Coyne
 Cramer
 Crane
 Crapo
 Danner
 Darden
 Darden de la Garza
 Deal
 DeFazio
 DeLauro
 DeLay
 Dellums
 Derrick
 Deutsch
 Diaz-Balart
 Dickey
 Dicks
 Dingell
 Dixon
 Dooley
 Doolittle
 Dornan
 Dreier
 Duncan
 Dunn
 Durbin
 Edwards (CA)
 Edwards (TX)
 Emerson
 Engel
 English (AZ)
 English (OK)
 Eshoo
 Evans
 Everett
 Ewing
 Fawell
 Fazio
 Fields (LA)
 Fields (TX)
 Filner
 Fingerhut
 Fish
 Flake
 Foglietta
 Ford (MI)
 Ford (TN)
 Fowler
 Frank (MA)
 Franks (CT)
 Franks (NJ)
 Frost
 Furse
 Gallegly
 Gallo
 Gejdenson
 Gekas
 Gephardt
 Geren
 Gibbons
 Gilchrest
 Gillmor
 Gilman
 Gingrich
 Glickman
 Gonzalez
 Goodlatte
 Goodling
 Gordon
 Goss
 Grams
 Grandy
 Green
 Greenwood
 Gunderson
 Gutierrez
 Hall (OH)
 Hall (TX)
 Hamburg
 Hamilton
 Hancock
 Hansen
 Harman
 Hastert
 Hastings
 Hayes
 Hefley
 Hefner
 Hergert
 Hilliard
 Hinchey
 Hoagland
 Hobson
 Hochbrueckner
 Hoekstra
 Hoke
 Holden
 Horn
 Houghton
 Hoyer
 Huffington
 Hughes
 Hunter
 Hutchinson
 Hutto
 Hyde
 Inglis

McNulty
 Meehan
 Meeke
 Menendez
 Meyers
 Mfume
 Mica
 Michel
 Miller (CA)
 Miller (FL)
 Mineta
 Minge
 Mink
 Moakley
 Molinari
 Mollohan
 Montgomery
 Moorhead
 Moran
 Morella
 Morella
 Murphy
 Murtha
 Myers
 Nadler
 Natcher
 Neal (MA)
 Neal (NC)
 Nussle
 Oberstar
 Obey
 Oliver
 Ortiz
 Orton
 Owens
 Oxley
 Packard
 Pallone
 Parker
 Pastor
 Paxon
 Payne (NJ)
 Payne (VA)
 Pelosi
 Penny
 Peterson (FL)
 Peterson (MN)
 Petri
 Pickett
 Pickle
 Pombo
 Pomeroy
 Porter
 Portman
 Poshard
 Price (NC)
 Pryce (OH)
 Quillen
 Quinn
 Rahall
 Ramstad
 Rangel
 Ravenel
 Reed
 Regula
 Reynolds
 Richardson
 Ridge
 Roberts
 Roemer
 Rogers
 Rohrabacher
 Ros-Lehtinen
 Rostenkowski
 Roth
 Roukema
 Rowland
 Roybal-Allard
 Rush
 Sabo
 Sanders
 Sangmeister
 Santorum
 Sarpalis
 Sawyer
 Saxton
 Schaefer
 Schenk
 Schiff
 Schroeder
 Schumer
 Scott
 Serrano
 Sharp
 Shays
 Shepherd
 Shuster

Sisisky	Sundquist	Velazquez	Clay	Hoke	Neal (MA)	Torres	Vucanovich	Wise
Skaggs	Swett	Vento	Clayton	Holden	Neal (NC)	Torricelli	Walsh	Wolf
Skeen	Swift	Visclosky	Clement	Horn	Nussle	Towns	Washington	Woolsey
Skelton	Synar	Volkmmer	Clinger	Houghton	Oberstar	Tucker	Waters	Wyden
Slattery	Talent	Vucanovich	Clyburn	Hoyer	Obey	Unsoeld	Watt	Wynn
Slaughter	Tanner	Walker	Coleman	Hughes	Olver	Velazquez	Waxman	Yates
Smith (IA)	Tauzin	Walsh	Collins (IL)	Inslie	Ortiz	Vento	Weldon	Young (AK)
Smith (MI)	Taylor (MS)	Washington	Collins (MI)	Istook	Owens	Visclosky	Wheat	Young (FL)
Smith (NJ)	Taylor (NC)	Waters	Combest	Jacobs	Oxley	Volkmer	Whitten	
Smith (OR)	Tejeda	Watt	Conyers	Jefferson	Packard			
Smith (TX)	Thomas (CA)	Waxman	Cooper	Johnson (CT)	Pallone			
Snowe	Thomas (WY)	Weldon	Coppersmith	Johnson (GA)	Parker	Allard	Duncan	Mica
Solomon	Thompson	Wheat	Costello	Johnson (SD)	Pastor	Andrews (TX)	Everett	Moorhead
Spence	Thornton	Whitten	Cox	Johnson, E.B.	Payne (NJ)	Archer	Fowler	Orton
Spratt	Thurman	Wolf	Coyne	Johnson, Sam	Payne (VA)	Arney	Goodlatte	Paxon
Stark	Torkildsen	Woolsey	Cramer	Johnston	Pelosi	Baker (CA)	Hancock	Penny
Stearns	Torres	Wyden	Crapo	Kanjorski	Peterson (FL)	Ballenger	Hansen	Petri
Stenholm	Torricelli	Wynn	Danner	Kaptur	Peterson (MN)	Barrett (NE)	Hastert	Pombo
Stokes	Towns	Yates	Darden	Kasich	Pickett	Bartlett	Hefley	Rohrabacher
Strickland	Tucker	Young (AK)	de la Garza	Kennedy	Pickle	Barton	Herger	Roukema
Studds	Unsoeld	Young (FL)	Deal	Kennelly	Pomeroy	Billie	Hoekstra	Royce
Stump	Upton	Zeliff	DeFazio	Kildee	Porter	Bonilla	Huffington	Schaefer
Stupak	Valentine	Zimmer	DeLauro	Kim	Portman	Bunning	Hunter	Sensenbrenner
			Dellums	King	Poshard	Burton	Hutchinson	Shays
			Derrick	Klecza	Price (NC)	Callahan	Hutto	Shuster
			Deutsch	Klein	Pryce (OH)	Canady	Hyde	Stearns
			Diaz-Balart	Klug	Quillen	Coble	Inglis	Stump
			Dicks	Kolbe	Quinn	Collins (GA)	Inhofe	Taylor (MS)
			Dingell	Kopetski	Rahall	Condit	Kingston	Thomas (WY)
			Dixon	Kreidler	Ramstad	Crane	Klink	Upton
			Dooley	Kyl	Rangel	Cunningham	Knollenberg	Valentine
			Dornan	Lambert	Ravenel	DeLay	LaFalce	Walker
			Dreier	Lancaster	Reed	Dickey	Manzullo	Zeliff
			Dunn	Lantos	Regula	Doilittle	McMillan	Zimmer
			Durbin	LaRocco	Reynolds			
			Edwards (CA)	Laughlin	Richardson			
			Edwards (TX)	Lazio	Ridge			
			Emerson	Leach	Roberts	Abercrombie	Shaw	Williams
			Engel	Lehman	Roemer	Rose	Trafficant	Wilson
			English (AZ)	Levin	Rogers			
			English (OK)	Levy	Ros-Lehtinen			
			Eshoo	Lewis (CA)	Rostenkowski			
			Evans	Lewis (FL)	Roth			
			Ewing	Lewis (GA)	Rowland			
			Farr	Lightfoot	Royal-Allard			
			Fawell	Linder	Rush			
			Fazio	Lipinski	Sabo			
			Fields (LA)	Livingston	Sanders			
			Fields (TX)	Lloyd	Sangmeister			
			Filner	Long	Santorum			
			Fingerhut	Lowey	Sarpalius			
			Fish	Machtley	Sawyer			
			Flake	Maloney	Saxton			
			Foglietta	Mann	Schenk			
			Ford (MI)	Manton	Schiff			
			Ford (TN)	Margolies-	Schroeder			
			Frank (MA)	Mezvinsky	Schumer			
			Franks (CT)	Markey	Scott			
			Franks (NJ)	Martinez	Serrano			
			Frost	Matsui	Sharp			
			Furse	Mazzoli	Shepherd			
			Gallely	McCandless	Sisisky			
			Gallo	McCloskey	Skaggs			
			Gejdenson	McCollum	Skeen			
			Gekas	McCrery	Skelton			
			Gephardt	McCurdy	Slattery			
			Geren	McDade	Slaughter			
			Gibbons	McDermott	Smith (IA)			
			Gilchrest	McHale	Smith (MI)			
			Gillmor	McHugh	Smith (NJ)			
			Gilman	McInnis	Smith (OR)			
			Gingrich	McKeon	Smith (TX)			
			Glickman	McKinney	Snowe			
			Gonzalez	McNulty	Solomon			
			Goodling	Meehan	Spence			
			Gordon	Meek	Spratt			
			Goss	Menendez	Stark			
			Grams	Meyers	Stenholm			
			Grandy	Mfume	Stokes			
			Green	Michel	Strickland			
			Greenwood	Miller (CA)	Studds			
			Gunderson	Miller (FL)	Stupak			
			Gutierrez	Mineta	Sundquist			
			Hall (OH)	Minge	Swett			
			Hall (TX)	Mink	Swift			
			Hamburg	Moakley	Synar			
			Hamilton	Molinari	Talent			
			Harman	Mollohan	Tanner			
			Hastings	Montgomery	Tauzin			
			Hayes	Moran	Taylor (NC)			
			Hefner	Morella	Tejeda			
			Hilliard	Murphy	Thomas (CA)			
			Hinches	Murtha	Thompson			
			Hoagland	Myers	Thornton			
			Hobson	Nadler	Thurman			
			Hochbrueckner	Natcher	Torkildsen			

NOES—4

Cunningham	Royce
Huffington	Sensenbrenner

NOT VOTING—7

Abercrombie	Trafficant	Wise
Rose	Williams	
Shaw	Wilson	

□ 1813

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read "A bill to redesignate the post office building located at 1000 Lamar Street in Wichita Falls, TX, as the 'Graham B. Purcell, Jr. Post Office Building'".

A motion to reconsider was laid on the table.

AMENDMENT TO IMPACT AID
REGARDING INDIAN LANDS

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The pending business is the question of suspending the rules and passing the bill, H.R. 3051.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan [Mr. KILDEE] that the House suspend the rules and pass the bill, H.R. 3051.

The question was taken.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 358, noes 69, not voting 6, as follows:

[Roll No. 443]

AYES—358

Ackerman	Bentley	Brooks
Andrews (ME)	Bereuter	Browder
Andrews (NJ)	Berman	Brown (CA)
Applegate	Bevill	Brown (FL)
Bacchus (FL)	Bilbray	Brown (OH)
Bacchus (AL)	Bilirakis	Bryant
Baesler	Bishop	Buyer
Baker (LA)	Blackwell	Byrne
Barca	Blute	Calvert
Barcia	Boehlert	Camp
Barlow	Boehner	Cantwell
Barrett (WI)	Bonior	Cardin
Bateman	Borski	Carr
Becerra	Boucher	Castle
Beilenson	Brewster	Chapman

Clay	Hoke	Neal (MA)	Torres	Vucanovich	Wise
Clayton	Holden	Neal (NC)	Torricelli	Walsh	Wolf
Clement	Horn	Nussle	Towns	Washington	Woolsey
Clinger	Houghton	Oberstar	Tucker	Waters	Wyden
Clyburn	Hoyer	Obey	Unsoeld	Watt	Wynn
Coleman	Hughes	Olver	Velazquez	Waxman	Yates
Collins (IL)	Inslie	Ortiz	Vento	Weldon	Young (AK)
Collins (MI)	Istook	Owens	Visclosky	Wheat	Young (FL)
Combest	Jacobs	Oxley	Volkmer	Whitten	
Conyers	Jefferson	Packard			
Cooper	Johnson (CT)	Pallone			
Coppersmith	Johnson (GA)	Parker	Allard	Duncan	Mica
Costello	Johnson (SD)	Pastor	Andrews (TX)	Everett	Moorhead
Cox	Johnson, E.B.	Payne (NJ)	Archer	Fowler	Orton
Coyne	Johnson, Sam	Payne (VA)	Arney	Goodlatte	Paxon
Cramer	Johnston	Pelosi	Baker (CA)	Hancock	Penny
Crapo	Kanjorski	Peterson (FL)	Ballenger	Hansen	Petri
Danner	Kaptur	Peterson (MN)	Barrett (NE)	Hastert	Pombo
Darden	Kasich	Pickett	Bartlett	Hefley	Rohrabacher
de la Garza	Kennedy	Pickle	Barton	Herger	Roukema
Deal	Kennelly	Pomeroy	Billie	Hoekstra	Royce
DeFazio	Kildee	Porter	Bonilla	Huffington	Schaefer
DeLauro	Kim	Portman	Bunning	Hunter	Sensenbrenner
Dellums	King	Poshard	Burton	Hutchinson	Shays
Derrick	Klecza	Price (NC)	Callahan	Hutto	Shuster
Deutsch	Klein	Pryce (OH)	Canady	Hyde	Stearns
Diaz-Balart	Klug	Quillen	Coble	Inglis	Stump
Dicks	Kolbe	Quinn	Collins (GA)	Inhofe	Taylor (MS)
Dingell	Kopetski	Rahall	Condit	Kingston	Thomas (WY)
Dixon	Kreidler	Ramstad	Crane	Klink	Upton
Dooley	Kyl	Rangel	Cunningham	Knollenberg	Valentine
Dornan	Lambert	Ravenel	DeLay	LaFalce	Walker
Dreier	Lancaster	Reed	Dickey	Manzullo	Zeliff
Dunn	Lantos	Regula	Doilittle	McMillan	Zimmer
Durbin	LaRocco	Reynolds			
Edwards (CA)	Laughlin	Richardson			
Edwards (TX)	Lazio	Ridge			
Emerson	Leach	Roberts	Abercrombie	Shaw	Williams
Engel	Lehman	Roemer	Rose	Trafficant	Wilson
English (AZ)	Levin	Rogers			
English (OK)	Levy	Ros-Lehtinen			
Eshoo	Lewis (CA)	Rostenkowski			
Evans	Lewis (FL)	Roth			
Ewing	Lewis (GA)	Rowland			
Farr	Lightfoot	Royal-Allard			
Fawell	Linder	Rush			
Fazio	Lipinski	Sabo			
Fields (LA)	Livingston	Sanders			
Fields (TX)	Lloyd	Sangmeister			
Filner	Long	Santorum			
Fingerhut	Lowey	Sarpalius			
Fish	Machtley	Sawyer			
Flake	Maloney	Saxton			
Foglietta	Mann	Schenk			
Ford (MI)	Manton	Schiff			
Ford (TN)	Margolies-	Schroeder			
Frank (MA)	Mezvinsky	Schumer			
Franks (CT)	Markey	Scott			
Franks (NJ)	Martinez	Serrano			
Frost	Matsui	Sharp			
Furse	Mazzoli	Shepherd			
Gallely	McCandless	Sisisky			
Gallo	McCloskey	Skaggs			
Gejdenson	McCollum	Skeen			
Gekas	McCrery	Skelton			
Gephardt	McCurdy	Slattery			
Geren	McDade	Slaughter			
Gibbons	McDermott	Smith (IA)			
Gilchrest	McHale	Smith (MI)			
Gillmor	McHugh	Smith (NJ)			
Gilman	McInnis	Smith (OR)			
Gingrich	McKeon	Smith (TX)			
Glickman	McKinney	Snowe			
Gonzalez	McNulty	Solomon			
Goodling	Meehan	Spence			
Gordon	Meek	Spratt			
Goss	Menendez	Stark			
Grams	Meyers	Stenholm			
Grandy	Mfume	Stokes			
Green	Michel	Strickland			
Greenwood	Miller (CA)	Studds			
Gunderson	Miller (FL)	Stupak			
Gutierrez	Mineta	Sundquist			
Hall (OH)	Minge	Swett			
Hall (TX)	Mink	Swift			
Hamburg	Moakley	Synar			
Hamilton	Molinari	Talent			
Harman	Mollohan	Tanner			
Hastings	Montgomery	Tauzin			
Hayes	Moran	Taylor (NC)			
Hefner	Morella	Tejeda			
Hilliard	Murphy	Thomas (CA)			
Hinches	Murtha	Thompson			
Hoagland	Myers	Thornton			
Hobson	Nadler	Thurman			
Hochbrueckner	Natcher	Torkildsen			

NOES—69

Allard	Duncan	Mica
Andrews (TX)	Everett	Moorhead
Archer	Fowler	Orton
Arney	Goodlatte	Paxon
Baker (CA)	Hancock	Penny
Ballenger	Hansen	Petri
Barrett (NE)	Hastert	Pombo
Bartlett	Hefley	Rohrabacher
Barton	Herger	Roukema
Billie	Hoekstra	Royce
Bonilla	Huffington	Schaefer
Bunning	Hunter	Sensenbrenner
Burton	Hutchinson	Shays
Hutto	Shuster	Stearns
Canady	Hyde	Stump
Coble	Inglis	Taylor (MS)
Collins (GA)	Inhofe	Thomas (WY)
Condit	Kingston	Upton
Crane	Klink	Valentine
Cunningham	Knollenberg	Walker
DeLay	LaFalce	Zeliff
Dickey	Manzullo	Zimmer
Doilittle	McMillan	

NOT VOTING—6

Abercrombie	Shaw	Williams
Rose	Trafficant	Wilson

□ 1822

Mr. DUNCAN changed his vote from "aye" to "no."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENDING INTERIM EXEMPTION
UNDER THE MARINE MAMMAL
PROTECTION ACT FOR COMMERCIAL
FISHERIES

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The pending business is the question of suspending the rules and passing the bill, H.R. 3049.

The Clerk read the title of the bill.

The SPEAKER

Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo

Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schafer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swift

Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Whitten
Wise
Wolf
Woodsey
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—0

NOT VOTING—8

Abercrombie
Hefner
Rose

Rostenkowski
Shaw
Traficant

Williams
Wilson

□ 1837

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ORDER OF BUSINESS

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

Mr. SOLOMON. Mr. Speaker, I understand there is one last suspension vote. This gentleman would announce there will not be a vote on the Journal, so this will be the last vote of the night.

BROWNSVILLE WETLANDS POLICY ACT OF 1993

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2604.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. ORTIZ] that the House suspend the rules and pass the bill, H.R. 2604.

The question was taken.

RECORDED VOTE
Mr. SOLOMON. Mr. Speaker, on that I demand a recorded vote.
A recorded vote was ordered.
The SPEAKER pro tempore. This is a 5-minute vote.
The vote was taken by electronic device, and there were—ayes 360, noes 64, not voting 9, as follows:

[Roll No. 446]
AYES—360

Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Billrakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burton
Buyer
Byrne
Callahan
Calvert
Camp
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Combest
Conyers
Coppersmith
Costello
Coyne
Cramer
Crapo
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley

Doolittle
Dornan
Dreier
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gedjenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefley
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Hughes
Hunter
Hutto
Insee
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam

Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Klecicka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyi
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Menendez
Meyers
Mfume
Mica
Miller (CA)
Mineta
Minge
Mink
Moakley
Molinar
Mollohan
Montgomery
Moonhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher

Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Oliver
Ortiz
Owens
Oxley
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Rogers
Ros-Lehtinen

Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland

Studds
Stupak
Sundquist
Sweet
Swift
Synar
Tauzin
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Unsoeld
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)

NOES—64

Allard
Archer
Army
Bacchus (FL)
Barrett (NE)
Bartlett
Barton
Bunning
Canady
Coble
Collins (GA)
Condit
Cooper
Cox
Crane
Cunningham
DeLay
Duncan
Emerson
Ewing
Fowler
Gingrich

Goss
Hancock
Hansen
Hastert
Herger
Huffington
Hutchinson
Hyde
Inglis
Inhofe
Jacobs
Kingston
Lewis (CA)
Lewis (FL)
Manzullo
McCollum
Michel
Miller (FL)
Orton
Packard
Paxon
Penny

NOT VOTING—9

Abercrombie
Hefner
Meek

Rose
Rostenkowski
Shaw

Traficant
Williams
Wilson

□ 1844

So (two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. WILLIAMS. Mr. Speaker, because of a family illness I missed Roll No. 437, the Federal Employees Political Activities Act of 1993, No. 438, the James B. Stanley Relief Act, No. 439, the Performance Management and Recognition System Termination Act, No. 440, the Ross Bass Post Office, No. 441, the Samuel E. Perry Post Office Building, No. 442, the Graham B. Pursell, Jr.

Post Office Building, No. 443, the amendment to impact aid regarding Indian lands, No. 444, extending the exemption under the Marine Mammal Protection Act for commercial fisheries, No. 445, the Walter B. Jones Center for the Sounds, and No. 446, the Brownsville Wetlands Policy Act of 1993. Those votes were taken on September 21.

Had I been present, I would have voted for Roll No., 437, 438, 439, 440, 441, 442, 443, 444, 445, and 446.

THE JOURNAL

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal.

The Journal was approved.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2750, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION ACT, FISCAL YEAR 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-250) on the resolution (H. Res. 252) relating to consideration of the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

FEDERAL MINE SAFETY AND HEALTH ACT OF 1969—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Ms. LONG) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

To the Congress of the United States:

In accordance with Section 511(a) of the Federal Mine Safety and Health Act of 1969, as amended ("the Act"), 30 U.S.C. 958(a), I transmit herewith the annual report on mine safety and health activities for fiscal year 1992. This report was prepared by, and covers activities occurring exclusively during the previous Administration. The enclosed report does not reflect the policies or priorities of this Administration.

My Administration is committed to working with the Congress to ensure vigorous enforcement of existing mine safety and health standards. We are also intent on improving these rules where necessary and appropriate to

better protect worker health and safety.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 21, 1993.

ANNUAL REPORT OF SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION FOR FISCAL YEAR 1992—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Public Works and Transportation:

To the Congress of the United States:

I transmit herewith the Saint Lawrence Seaway Development Corporation's Annual Report for fiscal year 1992. This report has been prepared in accordance with section 10 of the Saint Lawrence Seaway Act of May 13, 1954 (33 U.S.C. 989(a)), and covers the period October 1, 1991, through September 30, 1992.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 21, 1993.

ANNUAL REPORT OF THE NATIONAL SCIENCE FOUNDATION FOR FISCAL YEAR 1992—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science, Space, and Technology:

To the Congress of the United States:

In accordance with section 3(f) of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1862(f)), I am pleased to send you the annual report of the National Science Foundation for Fiscal Year 1992. This report describes research supported by the Foundation in the mathematical, physical, biological, social, behavioral, and computer sciences; engineering; and education in those fields.

Achievements such as the ones described in this report are the basis for much of our Nation's strength—its economic growth, national security, and the overall well-being of our people.

As we move toward the 21st century, the Foundation will continue its efforts to expand our Nation's research achievements, our productivity, and our ability to remain competitive in world markets.

WILLIAM J. CLINTON.

THE WHITE HOUSE, September 21, 1993.

TRANSFER OF SPECIAL ORDER TIME

Mr. MCCOLLUM. Madam Speaker, I ask unanimous consent that I may be

able today to take the 60-minute special order granted to the gentleman from Indiana [Mr. BURTON].

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

There was no objection.

ACCEPTANCE BY JUSTICE DEPARTMENT OF PLEA OF GUILTY FROM FORMER POSTMASTER ROTA

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

Mr. LIVINGSTON. Mr. Speaker, in July, I wrote Attorney General Janet Reno protesting the unexplained acceptance by the Justice Department of a plea of guilty from former Postmaster Rota to a charge of illegally channeling funds to Congressmen A and B.

Yesterday, some 7 weeks later, I received a reply from Sheila F. Anthony, Assistant Attorney General, saying that—

The Justice Department policy disfavors the naming of uncharged individuals in public (charges) * * *

We, of course, had no intention of implicating all of Congress by adopting this action.

I hope that this alleviates your concerns.

Well, Mr. Speaker, it does not.

This Attorney General, the most political in contemporary history, the only one to dismiss all sitting U.S. attorneys soon after taking office, one who openly attends political fundraisers, and one who now subjects her assistants to undue congressional scrutiny and influence;

This Attorney General should recognize that her Department should either have not accepted the charges against Mr. Rota, or else they should have named the recipients of such illegal funds without unfairly implicating every Member of Congress with their slipshod, unfair, and politically protective tactics.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, September 15, 1993.

Hon. ROBERT L. LIVINGSTON,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN LIVINGSTON: I am writing in response to your letter of July 29, 1993, to Attorney General Reno concerning the wording of the information to which former House Postmaster Robert V. Rota pleaded guilty.

We appreciate the concern expressed in your letter; however, in order to describe the charges against Mr. Rota, it was necessary to identify at least the offices held by other individuals involved with him in criminal activity. As the Department of Justice policy disfavors the naming of uncharged individuals in public indictments or information, the only fair course of action, under these circumstances, was to refer to those other individuals as "Congressman A" and "Congressman B." We, of course, had no intention

of implicating all of Congress by adopting this action.

I hope that this alleviates your concerns. If we can be of further assistance with regard to this or any other matter, please do not hesitate to contact this office.

Sincerely,

SHEILA F. ANTHONY,
Assistant Attorney General.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 29, 1993.

HON. JANET RENO,
Attorney General,
U.S. Department of Justice,
Washington, DC.

DEAR MADAM ATTORNEY GENERAL: As a former prosecutor, I am not advocating that the United States Congress unduly interfere in the responsibilities of the U.S. Attorney with respect to his case against various Members of Congress in the House Post Office scandal. However, I am extraordinarily distressed at the procedure utilized by him when he accepted a charge from former Postmaster Rota alleging that Mr. Rota had illegally channeled funds to "Congressmen A and B."

As I noted in a speech on the Floor of the House last week, such a charge without immediate clarification unfairly, unnecessarily and gratuitously indicts every Member of the House of Representatives by inference. Frankly, it's not at all fair to the innocent Members of the House of Representatives to allow this charge to remain in the public arena. Accordingly, I would like to insist that you prevail on the U.S. Attorney to immediately rectify this problem so that all of those innocent of such charges will no longer have a cloud hanging over their heads.

Sincerely,

ROBERT L. LIVINGSTON,
Member of Congress.

□ 1850

REPUBLICANS AGAINST NAFTA

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

Mr. HUNTER. Madam Speaker, I see my friend, the gentleman from California [Mr. DREIER], walking off the floor. I know he is going to let me take some of his time in the debate on free trade here when he gets his hour a few minutes down the line. But let me say a couple of things about the Free-Trade Agreement.

First, there have been a lot of allegations by the pro-NAFTA side that the facts and figures that have been used by the anti-NAFTA side have not been accurate, and that there is no accurate data now available that should in some way compel an argument against NAFTA.

Madam Speaker, let me just say to all my colleagues and to anyone else who wishes to engage in this debate that the side of the Republicans who are against NAFTA is open for business, and I would like to issue a challenge to any of my friends and colleagues to come out on the House floor and debate the real statistics of NAFTA with me. I look forward to

doing that in the next hour or so with the gentleman from California [Mr. DREIER].

Let me talk about a couple of things today that Americans should be concerned about with respect to the NAFTA debate. The pro-NAFTA side says we have a \$40 billion export dollar amount each year with Mexico. At least in the last year, we exported \$40 billion in exports to Mexico.

Madam Speaker, that is just not true, unless you go to great lengths to artificially create and designate exports. Let me explain.

Take American components, built by American workers, for sale to American consumers. We send them on a bus to various plants, twin plants, maquiladora plants in Mexico, to be finished or to be added to. They are finished or added to, and then we ship them back on the same bus or the next bus into the United States and sell them to Americans, whom they were originally destined for, and we call those exports to Mexico.

Let me give you an example. I have verified this with Mickey Kantor's office. His people admit that yes, that is true. That is the way we count it.

If we take this podium and build it in Ohio, and it costs \$100 to build, and we put it on a bus and send it down to Juarez or Tijuana to be sanded and varnished, when it crosses the line at Tijuana we call it a \$100 export into Mexico. It is sanded and varnished for, say, \$10. It is put back on the bus, it comes back to the United States, and we call it a \$110 export from Mexico to the United States.

This is not an export. It is totally artificial. It was created almost entirely in the United States for American customers. Yet that number is about \$16 billion a year, depending on whether you use Mexican numbers or American numbers. That \$16 billion a year number is used by President Clinton to pump up this export number for purposes of selling NAFTA.

You then put an important portion of the number of jobs under the jobs equation, about 20,000 jobs per \$1 billion, and you attach that to that \$16 billion in export trade, and you say that that is some 320,000 jobs, or thereabouts.

The facts are it is not additional jobs created by exports. They are American products, built for consumption in the American system, and there is only a small value added in Mexico. So we are using artificial numbers to create a basis and a justification for NAFTA.

Lastly, Madam Speaker, let me just speak to the argument that somehow those who are against NAFTA are slighting Mexico and Mexican productivity. Actually it is just the opposite. Those of us who are against NAFTA understand that Mexican citizens, when they are given new equipment, are doggone productive. They are very productive.

The Hermosillo Ford plant, for example, is one of the top quality plants of all the automotive plants in North America. It is also one of the top plants with respect to the number of cars produced per worker, which is one of the best measures of productivity. That is called machine yield. They have received the J.D. Powers Award for quality. They employ over 2,000 Mexican workers.

The 200,000 vocational workers in Mexico or vocational students in Mexico that are graduated each year and the some 340,000 engineers who attend Mexican engineering school, are providing a very good worker pool to produce top line quality products.

So what you have, Madam Speaker, with respect to Mexico, is the worst of all worlds for blue collar Americans and businesses in the United States that intend to stay here. You have a neighbor who is highly productive and has the capability to take your job, who makes \$2,500 per capita per year, but does not have the ability to buy your product.

Madam Speaker, NAFTA is a bad business deal.

RAQUEL "ROCKY" KRAMER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mrs. LOWEY], is recognized for 5 minutes.

Mrs. LOWEY. Madam Speaker, I rise today to celebrate the life of Raquel "Rocky" Kramer, a dear friend and remarkable human being who passed away on September 6.

All of us who knew Rocky—and she had many friends and admirers—were inspired by her dedication to community and faith, and touched by her boundless concern for others. Rocky's vitality and warmth will be sorely missed, but never forgotten.

Rocky was perhaps most dedicated to her Shul, the Beth El Synagogue, one of the largest in southern Westchester County. At Beth El, she served in a variety of roles including chairwoman of the Youth Activities Committee, and head of the Israel Bond and Jewish Theological Seminary Drives. But Rocky may have been most effective in expanding the role of women in Jewish life. She founded the Alternative Service which gave women the opportunity to participate in high holiday services, and she became Beth El's first female president in 1990.

Through her service, Rocky enriched our lives and led the way for others who would follow her example as activists, as leaders, as women, as Jews, and as decent citizens. Hers is a portrait not only of ability and achievement, but of extraordinary kindness and love.

Madam Speaker, each of us is given only a brief time on this Earth—a few years to make a difference and to share our own experience with the generations. In her time with us, Rocky Kramer did both: Contribute immensely to

others and, through her deeds, help us to share in her joy of life.

I join our entire community, especially her family and her friends at Beth El, in sadness at Rocky's passage, and thanks for the gift of her company.

YOUTH HANDGUN SAFETY ACT

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

Mr. GLICKMAN. Madam Speaker, I am here today to urge a nationwide effort to address the rise of guns, gangs, and violence in our cities and on our streets. Specifically, I urge that we focus on the alarming rate of violence by and against youths on our streets, in our schools, and even in the backyards of our homes. I have committed myself to try to stop the rising tide of handguns in the hands of children, and I urge all of my colleagues and all of the communities in their States to join me in this urgent crusade.

Here's an appalling statistic: About 100,000 students bring handguns to school every day in the United States. That includes students in the schools of every Member of this House. Also, FBI statistics show that the number of murders committed by youths, aged 10-17, with guns, rose 79 percent between 1980 and 1990. It should be no surprise, then, that the Journal of the American Medical Association found that the leading cause of death for both black and white teenage boys in America is gunshot wounds.

Too often, playground disputes are turning into schoolyard shootouts. And when we must seriously consider putting metal detectors in our schools, and I don't mean just a few schools, something has gone awry. We cannot sit back and allow these types of statistics to proliferate. It is not fair to our students, to our teachers, and to our society. We must stand strong and tell our children that this is going to stop.

Today, Representative MIKE CASTLE and I are introducing the Youth Handgun Safety Act of 1993. This bill closes a loophole in existing Federal handgun law. Currently, Federal law—the Gun Control Act of 1968—makes it illegal for a licensed gun dealer to sell handguns to minors. However, it does not address the very real situations where other people sell and give handguns to minors. The current law also doesn't make it illegal for the minor to possess the handgun. The Youth Handgun Safety Act makes it illegal for anyone to sell or transfer a handgun to a minor, and it makes it illegal for the minor to possess the handgun. There are several exceptions for hunting, target practice, or instruction in the safe use of handguns while under the supervision of an adult, but beyond that, youths would not be permitted to have handguns. In

other words, this bill makes the Federal law more meaningful, and provides minors with a real incentive to get rid of their handguns.

This idea of prohibiting possession by minors has a broad base of support. For instance, in my State, the attorney general supports the idea as does the local district attorney, the police chief, and the sheriff. These are the people on the front lines of this issue, and they have seen first hand the devastating effects of handguns on our children and by our children.

Several weeks ago U.S. Attorney General Janet Reno visited my district to discuss the issue of guns and violence. She emphasized that parents and families are the first line of defense against kids turning to guns and violence. I think we all can agree that an involved and concerned family is the ideal situation for our youths, and where it is possible we should encourage that scenario. The Youth Safety Act does encourage this parental responsibility, and community/adult responsibility in general. Equally important, it makes youths responsible for their own actions. I hope all my colleagues will carefully consider their own responsibility to their constituents, both young and old, and join us to work to keep guns away from kids.

STOP HIGH SCHOOL "HONOR" SCAMS

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

Mr. STARK. Madam Speaker, all of us are familiar with some of the many groups which bring high school students to Washington, DC, to learn about the Federal Government and the lawmaking process.

What many do not realize, however, is that some of these groups use slick marketing and organizational arrangements to make a healthy profit off these students and their parents.

For example, the Congressional Youth Leadership Council [CYLC] in 1991 grossed more than \$6.3 million with 98 percent of that coming from tuition fees. The National Charities Information Bureau has reviewed the CYLC and questions whether the CYLC is really a charity or merely a promotional device.

Senator METZENBAUM explains in a speech on page S6267 of the CONGRESSIONAL RECORD for May 20, 1993, exactly how the CYLC, a 501(C)(3) organization, manages to keep its profits and nonprofit status by transferring them to a for-profit company. His remarks are quite enlightening.

For example, the Congressional Youth Leadership Council [CYLC], a nonprofit institution, grossed more than \$6.3 million in 1991. In its direct mailings, the CYLC leads parents to

believe that their child is one of "fewer than two percent of all secondary school students nationwide [who are] eligible to participate." However, CYLC recruits students by mail through a mailing list vendor, not GPA's. Several newspapers have reported that at least two D-average students and one expelled gang member are among those so honored.

Although the CYLC charges a substantial fee for tuition and expenses, visiting students stay in four person dormitory rooms and participate in many free activities like visiting the floor of the House. CYLC does not provide scholarships to low-income youths and charges extra for some disability services like deaf interpreters. Ninety-eight percent of CYLC's revenue last year came from these tuition fees.

Two years after CYLC started in 1985, the two founders of CYLC started Capital Resources, a for-profit management and marketing company which they own and operate. Capital Resources last year received over 90 percent of each student's fee as well as a monthly, \$7,000 management fee charged to CYLC. The National Charities Information Bureau called this arrangement "a clear conflict of interest" and questions whether the CYLC is "really a charity of merely a promotional device."

Today Congressman GUNDERSON and I are introducing a bill identical to legislation sponsored by Senators METZENBAUM and DOLE. It would require programs to disclose certain important information to parents before accepting payment. The programs would disclose: the method of solicitation and selection of participants, the per-student costs for food, lodging, transportation, and administrative expenses, and the relationship to any other business entity providing these services.

Finally the bill would make clear that these programs may not discriminate against students based on race, disability, or low income.

I hope my colleagues will join us in this bipartisan effort to provide parents the information they need to make sure that these honor programs are not taking advantage of their sons and daughters.

The text of the following article titled "No Sacred Cows," from Common Cause Magazine explains some of the current abuses.

NO SACRED COWS

Every year thousands of high school students from across the country get classy-looking invites to travel to their nation's capital and see how their government works. The honor comes with a price tag: \$730 for a six-day tour and \$1,260 for the deluxe 11-day program—plus air fare, lunches and incidentals.

What the honored students don't see—and something that their parents, who usually pay their way, might find more interesting than the standard "how a bill becomes a law" lecture—is how some tour groups work.

Take the Congressional Youth Leadership Council (CYLC), for example. Its certified-mail "nominating" papers have informed recipients they were exceptional students who had been chosen, along with 350 others from across the country, to represent their states as "Congressional Scholars" at a "very special week" in Washington. The letters didn't tell them they would be among 9,000 students attending one of 24 "special" tour weeks a year conducted by CYLC, that it had rented their names and addresses from a national survey firm or, according to press reports, that at least two D-average students and one expelled gang member are among those so "honored." Each year the council sends out more than 100,000 letters to students.

A lot of the money coming in to CYLC is passed on to the for-profit National Capital Resources (NCR), a management and marketing firm. NCR is run by Richard Rossi and Barbara Harris, the founders of CYLC and, until recently its officers and 40 percent of its board of directors. Harris still serves on the board. NCR's sole function until recently was to manage and market CYLC's programs. It now has "one other major client," according to CYLC Executive Director John Hines: the nonprofit National Youth Leadership Forum, a similar program also founded by Harris and Rossi.

A bill recently introduced by Sen. Howard Metzenbaum (D-Ohio) and cosponsored by Minority Leader Robert Dole (R-Kan.) would require groups like CYLC, the Close Up Foundation, Presidential Classroom For Young Americans and Washington-Workshop to explain how participating students were chosen and how their money is spent.

What's behind the bill, which would impose a sort of truth-in-advertising requirement on the democracy-in-action business, is a combination of what Sen. Dole called "questionable recruiting practices" by CYLC and no small amount of senatorial embarrassment. The resulting legislation is a consumer protection measure that would also give members of Congress more information about organizations that use their names.

For years CYLC has persuaded members of Congress to "preside" on its "honorary congressional board of advisors." Dole and Metzenbaum, along with more than half of their colleagues, signed on; the council's recent mailings refer to "the over 270 members" of its honorary congressional board by name.

But after Dole learned of CYLC's recruiting practices he disassociated himself from the organization and wrote a "Dear colleague" letter urging other members of Congress to do the same. Decrying the group's "audacity to blatantly deceive a member of Congress," Dole said "its misleading practices persist[ed]" even after it had assured him otherwise.

Faced with Dole's objections and pending legislation, CYLC has begun to mend its ways. As director John Hines puts it, "There was a chance some people would have gotten the wrong idea" about the council's program. Dole now says minor changes to CYLC's materials have "resolved [his] concerns," but Metzenbaum remains troubled by CYLC's business practices.

According to its 1991 tax return, CYLC grossed more than \$6.3 million that year, with 98 percent of that coming from student "tuition." In an interview, Hines says that "about 60 percent of students' tuition is consumed directly while they're" in Washington, while the remaining 40 percent finances CYLC's "program preparation, overhead" and the like.

Metzenbaum's bill, the Educational Organizations Disclosure Act of 1993, would require CYLC and similar organizations to disclose how students are selected and provide them (and Congress) with a breakdown of how their fees are spent. It also would prohibit discrimination on the basis of physical disability or inability to pay.

"We don't have any problem with the bill," Hines says, "but Sen. Metzenbaum's staff seems to believe we're doing something wrong over here. And we don't understand that."

THE CRIME CONTROL ACT OF 1993

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. MCCOLLUM] is recognized for 60 minutes.

Mr. MCCOLLUM. Madam Speaker, every year nearly 5 million people in the United States are victims of violent crime. The amount of violent crime has increased 531 percent since 1960, yet violent criminals are serving shorter sentences. Studies show the expected punishment for committing a serious crime has tumbled by two-thirds since the 1950's. Our prisons are overcrowded, violent criminals are serving only fractions of their sentences and are preying on our citizenry again and again, and terrorists and criminal aliens are making a mockery of our laws and threatening order in our society. This must be reversed.

As chairman of the House Republican Leadership Task Force on Crime, in early August I introduced a comprehensive new crime bill H.R. 2872 entitled the "Crime Control Act of 1993." This legislation proposes a complete overhaul of our Federal criminal justice system and is designed to develop a partnership with States to restore certainty and swiftness of punishment to our criminal justice system and to lock up violent criminals.

One of the biggest problems with crime in America today is that convicted criminals are not serving their full sentences. Early release dates and high recidivism are costing America millions of dollars a year in addition to the tremendous physical and emotional harm of the crimes.

According to the Bureau of Justice Statistics, an analysis of release practices in 36 States in 1988, and it's worse now, shows violent offenders served an average of just 37 percent of the time sentenced. Fifty-one percent of the violent offenders in this survey were discharged from prison in 2 years or less; 76 percent in 4 years or less. Under these conditions deterrence does not exist in the criminal justice system and incapacitation of the truly dangerous criminals is rare.

While, increased jail time is expensive, doing nothing is more expensive. The average cost per inmate in State prisons is \$25,000 per year. However, a recent Rand Corp. survey found that the average career criminal commits

between 187 and 287 crimes per year, with each crime costing society an average of \$2,300. Calculated out, that means an estimated cost of not keeping a career criminal behind bars is \$430,000, or \$405,000 more than the annual costs of imprisonment.

The answer is clear, we must lock up career criminals and keep them locked up. To take a big step toward accomplishing this goal, a key provision of the Republican crime bill provides \$3 billion over 3 years to establish a system of regional prisons for housing State-convicted violent and serious drug trafficking criminals based on an unprecedented State/Federal partnership. The partnership agreement will establish a cost-sharing arrangement for the construction and operation of the regional prisons with the States providing a minimum of 50 percent of the overall costs. States that are serious about fighting crime and punishing violent criminals, and are attempting to address the overpopulation problem on their own will be eligible to enter into a partnership with the Federal Government for the establishment of a regional prison.

CONDITIONS OF STATE PARTICIPATION

State participation is conditioned on State compliance with: First, mandatory minimum sentences of 10 years for persons who are convicted of a serious felony and are subsequently convicted of a crime of violence involving the use of a firearm or a crime of violence involving a sexual assault; second, a truth-in-sentencing policy under which offenders serve no less than 85 percent of the sentence imposed for crimes of violence and serious drug trafficking offenses; third, pretrial detention; and fourth, challenges to court decrees limiting prison populations.

PRISONER ELIGIBILITY

Prisoner eligibility requirements have been established to assure that the regional prisons house the most violent, career criminals. An eligible State may send prisoners convicted of State crimes to the regional prison if: First, the prisoner has been convicted of not less than two crimes of violence or serious drug trafficking offenses and then commits a crime of violence involving the use of a firearm or a crime of violence involving a sexual assault; or second, the prisoner is an illegal alien convicted of a felony offense punishable by more than 1 year's imprisonment.

To help States meet their share of the costs and to build more prisons of their own, the bill adds correctional facilities to the list of tax-exempt projects for which private activity bonds may be used and exempts prison construction from the Davis-Bacon Act. Because of its importance I have introduced this prison portion as a separate bill, H.R. 2892, as well as incorporating it in the comprehensive legislation.

The overall funding mechanism for this act provides \$7.54 billion over 5 years and covers the \$3 billion for regional prisons for 1994-96. The spending in this legislation is fully paid for by cutting Federal administrative overhead expenses across the board by 5 percent, and by capping administrative overhead expenses under university research grants at 90 percent of current levels. These funding sources provide enough funding not only to establish the regional prisons, but also to put more than 20,000 new cops on the street, pay for the 3,000 new Border Patrol officers and 1,000 INS criminal investigators, and the other new initiatives in the bill. Cities and States cannot afford unfunded mandates and the American taxpayer cannot afford programs that add to the deficit.

Every evening Americans tune into TV news programs and hear stories of violent crimes committed by repeat offenders who should not have been out on the street in the first place. Americans are fed up with this breakdown of the criminal justice system. The regional prison plan goes a long way toward addressing this problem by allowing the Federal Government to work with the States in a unique partnership to provide adequate prison space to house the truly dangerous, career criminals. The regional prison system is our best chance of being able to lock up violent criminals and throw away the key.

□ 1900

The regional prison system is not the only matter that we need to be addressing. The bill is very comprehensive. There are a lot of other problems that are there.

But in my State of Florida, for example, one of the great reasons why those crimes were committed against tourists that got all the notoriety was the fact that each and every one of those who have been accused or been listed as suspects for those crimes had committed previous violent crimes and were back out on the street again because of the system overcrowding and not having enough space and letting people out early. It is a very, very important part of this.

This evening I am joined by several of my colleagues who want to discuss aspects of this.

Madam Speaker, I yield to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Madam Speaker, I thank the gentleman from Florida for yielding to me.

I want to congratulate him for taking out this special order and also for taking the initiative to formulate H.R. 2872, the Crime Control Act of 1993.

I am especially pleased to hear that he has also got a companion bill, H.R. 2892, which would presumably pay for additional prison space and pay for ad-

ditional policemen and investigators out on the street.

I am reminded of the fact that I spoke with the U.S. attorney, just only a matter of weeks ago, the last couple of weeks, and was told that it is current policy by this Justice Department under this administration, which has just made great fanfare from the introduction of the administration's crime package, but all of that notwithstanding, the current U.S. attorney's offices all around this country are under a 9 percent cutback in appropriations. That is to say, that is not a legislative cutback; it is a scale back administratively that is coming out of the Office of Management and Budget. And U.S. attorneys all over this country are currently being told that they have to not lay off people necessarily but not fill slots as they become vacant, which means they have become smaller organizations.

As much as I am in favor of cutting back the role of government in so many other areas, as the gentleman has abundantly testified, Florida knows the problems of violent crime, and all of us in this country know the danger and havoc that is wreaked by violent crime, yet we are finding that the law enforcement agencies of the Federal Government are being curtailed, restricted and reduced because of this administration cutting them back.

Not only that, but their criminal bill that the President talked so much about in August does not have any provisions in it of any significance for the building of new prison space or additional policemen on the streets.

Mr. MCCOLLUM. Madam Speaker, reclaiming my time, on that bill they made a good speech about it, but they have yet to produce the actual document for us to look at either. I think that was done to try to make the impression that action was going on. But as far as I know, the administration has yet to come forward.

I hope they do. I hope that when they produce it, they produce something much tougher than what was outlined in that speech you are describing.

Mr. LIVINGSTON. Evidently, if the gentleman will continue to yield, they have discovered that the American people are desperately concerned about the increase in violent crime in this country. They wanted to talk about remedies that they have in mind to deal with it, but in reality, they are cutting back on the law enforcement facilities available to them, both in terms of prosecution, presumably in courts, certainly in terms of manpower on the street for police and investigators and the like and, at the same time, not providing any additional prison space. So I hope that they start matching their rhetoric with some action, but right now it does not look good for the field of law enforcement.

I want to tell the gentleman further that I appreciate his indulgence. I introduced earlier this year H.R. 93, the Life Imprisonment for Egregious Recidivist Acts. That is an acronym for the LIFER bill.

Basically, it is a very simple bill that will tell criminals around the country that you can commit one violent crime and you can commit the second violent crime, if they are felonies, but on the third one, you are going to go to prison. If you had been sentenced under the previous ones and if this one sends you to prison for the third time, you will never see the light of day outside of prison again. The Government, if this bill is passed with this provision in it, would simply tell you, take a long vacation. You are not coming back. We do not need you anymore.

The gentleman touched on some statistics. I am going to introduce all of my statement into the RECORD, because I know that there may be a shortage of time, but I would like to just touch on these statistics to elaborate on what the gentleman has already said.

□ 1910

Sixty-four percent of all criminals arrested for violent offenses had one or more prior felony arrests before the one in which he was picked up.

In a national study of youth ages 11 to 17—and certainly this might include the 13-year-old who was picked up for that killing of an English tourist in Tallahassee—but in a study of those youngsters, the 7 percent who were the most active offenders committed about 125 crimes per year each, and I know they indicated that that 13-year-old who killed that Englishman in Florida had been picked up between 53 and 56 times before that outrageous killing.

In a study of more than half of all prisoners released in 1993, approximately 5 percent of the prisoners had been charged with 45 or more offenses before and after their release. A study found that the most active 10 percent of robbers committed more than 85 robberies per year, and that the most active 10 percent of burglars committed more than 232 burglaries per year.

A California study of males born in 1956 showed that a small percentage were responsible for a disproportionate share of all of the arrests for ages 18 to 29. Specifically, 6.6 percent of the juveniles studied were responsible for 72 percent of all of the crimes leading up to the arrests.

A National Institute for Justice survey of inmates in three different States showed they averaged between 187 to 287 crimes per year. Ten percent of the inmates in this group each committed more than 600 crimes annually, illustrating that hardened, habitual criminals can be one-person crime waves.

Again, I would like to compliment the gentleman for coming forth with

this bill. I know that the Republicans are outnumbered, and that if it is just left up to Republicans, this bill probably does not have a chance of passage unless we get bipartisan support.

I think that what you are touching on is an issue that is so acute, so terribly important and critical to the survival of every man, woman, and child in America, it really should not be treated by the majority in partisan terms.

The good points of this bill—and frankly, I think they are all good points—should be taken and incorporated into the President's bill, and if he wants to add lots of provisions of his own, fine, have at them.

Let us not talk about solving crime when people are getting murdered throughout their communities on a daily and nightly basis, on an hourly basis, if you will. Let us actually pass the laws that are necessary to take people off the streets if they are going to intrude on the rights of their neighbors, if they are going to do violence to them, and certainly if they are going to threaten them throughout their lives.

Your bill, in my opinion, does address many of these problems. There are probably others that could be addressed.

I welcome a bipartisan support from the administration, from the President, but let us not say that we are solving crime and then cut back the U.S. attorney's office. Let us not say that we are solving crime and then come up with a government reorganization program that merges DEA, FBI, Border Patrol, and ATF into just one big megopolis of a law enforcement agency, as unfortunately that is what is called for by Vice President AL GORE.

Let us not just move around the chairs on the deck of the *Titanic*. Let us actually pass laws with teeth in them, that take the violent criminals off the street and put them away for good.

Mr. MCCOLLUM. Reclaiming my time, and I hope the gentleman does not walk away, because I would like to engage him a little bit about this, I think one of the really important things he has contributed is the bill he just described. It is part of this comprehensive Republican proposal.

The gentleman is right on the money when he says we are not going to pass this bill freestanding. It is really a bill that we put in the comprehensive one that included your proposed legislation, and the regional prisons that I said, and really a whole lot more. It is really just laying out the outline of suggestions that I have.

We do not have the votes. We cannot do that on our own, but when the President does put forward his bill, like you, I believe, certainly, and I think all of our colleagues believe it would be

good to see some of what we have done in his bill.

We hope we can reach a bipartisan product. Nobody thinks crime is a partisan issue. It is not. However, we do see an alarming statement or two coming out in addition to the cutbacks you described in the U.S. attorney's office and the comments with regard to what we are going to do down the road about merging agencies.

I have seen some comments from some administration folks recently that they are interested in abolishing minimum mandatory sentences, doing things that maybe around the edges, in one or two instances may be justified, but by and large, if done on a large scale, and particularly if done regarding these violent criminals and career criminals, would be counterproductive.

I, just like you, I am sure, would agree, Mr. LIVINGSTON, want to get at the social issues that cause some of this, but crime, violent crime, is so bad you cannot get at that in our cities until we clean them up.

What business is going to go into New Orleans, your home town, or Orlando, mine, or that of the gentleman from Minnesota [Mr. RAMSTAD], Minneapolis, or anybody else's city and put a new market, a new business in there with this much violent crime? We have to take these really bad people off the streets, lock them up, and throw away the key. That is what you are talking about.

Mr. LIVINGSTON. If the gentleman will yield, he is absolutely right. If we cannot protect people in their own homes or their own businesses or their children when they go to school, then frankly, we as a society have failed our citizens. We can do all of these other things: We can send our troops off to war in all these forgotten places, and save people from hunger or from tyrants in other corners of the world, but when our own citizens are being subjected to terror at the hands of tyrants right here in this country and we are doing an inadequate job of defending them from those oppressors in their own neighborhoods, then frankly, everything we do in this Chamber all year long is worth nothing.

We have to change the attitude. I know that the social dogma showed by this Attorney General, and I quote her, she says, "My highest priority is not to convict criminals but rather, to protect their rights." I am sorry, but the social dogma has not worked.

In my opinion, we have to start thinking about the rights of the victims, not the criminals. We have to start socking them away. We can give them due process. We have learned how to do that. We can give them all of the adequate defenses they need as they go to trial, and protect them during trial, and protect them once they are incarcerated in prison, but we should not simply blame ourselves for the fact

that other people are infringing on the rights and liberties and freedom and life of others.

It is not my fault, it is not your fault, that some people are just flat-out mean, rotten criminals. If that is what they want to be, then we ought to put them in jail and leave them there.

Mr. MCCOLLUM. I do not know if the gentleman saw, it was a late night the other evening last week where I saw one of these talk shows where two guests were on the show being questioned. They were young women. One of them was a member of one of the big gangs in Los Angeles, and the other was supposedly a member of the other.

They talked about how they murdered more than 30 people each, so they claim. They may not have done that, that could have been exaggeration, but just listening to them that night was chilling, to hear these relatively young people, I would guess both of them were under 20, probably teenagers, who are just totally imbued with this idea and do not seem to have a moral sense about them at all.

I do not know that we can reform those people. I do not know that you can put that type of person who has gone that far into a setting in society where you can expect a chance to put the person back on the street once they are locked up. I hope some day anybody that commits that many crimes is locked up and locked up for good.

Of course, there are people that could be reformed, but not that hardened group.

Mr. LIVINGSTON. It is going to take generations to go back to the traditional values that made this a great country and imbue our children as they are growing up with a sense of identity, with a sense of worth, and with an understanding of what human life really is.

Unfortunately, we are raising a large portion, a much larger portion than I would ever like to acknowledge, of youngsters who, frankly, are growing up without any care whatsoever for the dignity of human life. All of the sociologists standing in line from here to the moon are not going to change that fact.

We have to deal with the crime as it is in the streets today, and that means taking the hardcore criminals off the streets so that the innocent people can live.

Mr. Speaker, for the RECORD, I include some background information on the LIFER legislation:

H.R. 93 is the Life Imprisonment for Egregious Recidivists Act of 1992 or, for short, LIFER.

LIFER targets only hardened, violent criminals who will be removed permanently from society through life imprisonment.

LIFER has the support of various citizen's anticrime groups including: Americans Against Crime headed by Candy Lightner the founder of MADD; and the Law Enforcement Alliance of America.

Clinton's very political Attorney General, Janet Reno, often promotes criminal rights over those of victims. She has been quoted as saying: "My highest priority is not to convict criminals but rather to protect their rights."

On the other hand, LIFER promotes the rights of victims over those of career criminals.

LIFER is very simple and straightforward. It is based on the sound premise that since a very small percentage of violent felons commit the lion's share of all violent crime, we can have a profound impact on the prevalence of violent crime simply by removing this select group of felons from society. For example, just 6 percent of all violent offenders commit a full 70 percent of violent crimes. Furthermore, there is a 76-percent recidivism rate among those with three or more convictions.

LIFER would remove this select group of violent felons from society by imposing a mandatory life sentence on anyone convicted of a Federal violent felony if that person has two or more prior violent felonies—State or Federal—on his/her record. In other words, three strikes and you are out—for life. LIFER would not supersede judicial discretion in those rare instances where the death penalty is warranted.

Some within our criminal justice system place great stock in rehabilitation, but the wealth of evidence indicates that hardened, career criminals do not benefit from rehabilitation. Once these folks are far gone enough to make violent crime a habit, they will keep preying on our families again and again unless we stop them. I have a wealth of statistics supporting this point. Following are some of them:

First, 64 percent of all those arrested for a violent offense had one or more prior felony arrests.

Second, in a national study of youths age 11 to 17, the 7 percent who were the most active offenders committed about 125 crimes per year each.

Third, in a study of more than half of all prisoners released in 1983, approximately 5 percent of the prisoners had been charged with 45 or more offenses before and after their release.

Fourth, a study found that the most active 10 percent of robbers committed more than 85 robberies per year and that the most active 10 percent of burglars committed more than 232 burglaries per year.

Fifth, a California study of males born in 1956 showed that a small percentage were responsible for a disproportionate share of all arrests for ages 18 to 29. Specifically, 6.6 percent of juveniles studied were responsible for 72 percent of all the arrests.

Sixth, a National Institute for Justice survey of inmates in 3 States showed they averaged between 187 and 287 crimes per year; 10 percent of the inmates in this group each committed more than 600 crimes annually illustrating that hardened, habitual criminals can be 1 person crime waves.

LIFER promotes the rights of victims over those of career criminals. And at a time when urban revitalization is finally receiving the attention it so richly deserves, I must emphasize that LIFER would have the greatest beneficial effect on poor, city residents who are victims of violent crime at a rate of 65 per 1,000, nearly twice the rate of the average city resi-

dent. A wealth of Government and privately funded studies support the idea that a small percentage of criminals commit the majority of violent crime. Let us put these people in jail and support the McCollum anticrime bill.

I thank the gentleman for yielding to me. I have taken too much time.

Mr. McCOLLUM. I will reclaim it in order to yield to the gentleman from Minnesota [Mr. RAMSTAD]. If the gentleman from Louisiana wants to stay around, we appreciate having him here, and appreciate him taking the time.

□ 1920

Mr. RAMSTAD. I thank the gentleman from Florida for yielding, and certainly applaud the leadership he has provided, and I also applaud the comments of the gentleman from Louisiana. In fact, Edmund Burke said that the basic obligation of government is to protect people in their homes and neighborhoods. And our government is failing the American people, failing them badly in this basic obligation of government where we have government with scores, as the gentleman from Florida illustrated, of Americans murdered on our city streets each and every night, with a woman being raped in America every 4 minutes. No other civilized society in history has tolerated that kind of violence against women; 5 million Americans are victimized each and every year by crime, gangs ruling the streets of our country.

I, too, have been very disappointed with the administration's lack of leadership on this issue. A year ago, during the St. Louis Presidential debate, Mr. Clinton said, "The crime bill will be one of my highest priorities in January if I become President." Well, he became President. Today is September 21, 8 months since the new administration assumed office. We still do not have the introduction of a crime bill on the part of the administration.

Mr. McCOLLUM. If I may reclaim my time on that point, I did the radio response to the President's Labor Day weekend address, and I listened very carefully to his 5-minute message that day. He had three things listed as priorities for the fall, and crime was not one of them. And I think the gentleman is making an excellent point. This administration needs to put crime much higher up in its priority list.

I continue to yield to the gentleman from Minnesota.

Mr. RAMSTAD. I thank the gentleman for yielding.

The one mandate I believe the American people voted for was to end gridlock, and when it comes to crime legislation we still have that gridlock, as the gentleman from Louisiana pointed out, the problem of passing any of the elements, regardless of their merits, in our crime bill. This should not be a partisan issue. We need to take off our Republican hats, and take off our Democrat hats, roll up our

sleeves, and work together in a pragmatic, common-sense, comprehensive way to address the problems of violent crime in America. The people of America deserve nothing less.

But it is obviously difficult to pass a bill that has not been introduced. We do not have an administration bill. We do not have a Democrat bill. The only thing we have to deal with right now legislatively is a Republican crime bill that has been introduced.

I want to take this opportunity to renew my offer to the President and to you, Madam Speaker, to work with your side of the aisle to formulate and pass a strong, bipartisan anticrime bill. I hope it includes the elements that the gentleman from Florida discussed, as well as the gentleman from Louisiana. There are three violent crimes, three violent felonies that should result in life imprisonment. Certainly in that bipartisan spirit, Madam Speaker, I ask you not to dismiss these innovative proposals in the Republican crime bill. These proposals can be supported by many Members on the other side of the aisle. Many of the elements should be noncontroversial. There is no room for partisanship when it comes to crime. People are getting killed, people are getting raped, people are getting addicted to drugs.

There are two proposals that I have introduced, and I thank the gentleman from Florida as well as the gentleman from Louisiana for their tutelage and their support on these and other issues. Their leadership has truly been outstanding.

The two proposals that I have introduced to the crime bill fall within the nonpartisan category, I strongly believe. The first is the Jacob Wetterling Crimes Against Children Act which would require convicted child sex offenders and abductors to register with police for 10 years after their release from prison. This bill came from my home State of Minnesota as a result of an abduction of a young boy named Jacob Wetterling who has not yet been found, and thanks to the tireless efforts of his mother, Patty Wetterling, who walked these Halls of Congress, who walked the halls of the Minnesota legislature, this bill is now before this body.

The Department of Justice reports over 114,000 nonfamily child abductions every year in this country. We need to pass this act, because child sex offenders repeat their crimes again and again to the point of compulsion. In fact, the National Center for Missing and Exploited Children reports that 74 percent of imprisoned offenders had one or more prior convictions for a sexual assault against a child. Listen to this. The typical child sex offender in America molests 117 children before being apprehended and convicted the first time, 117 young victims. So certainly there is justification for this bill, for

keeping track of these pedophiles, these convicted child sex offenders after their release from prison. As many as 22 States already have registration statutes, but State law enforcement officials have told me, as well as the FBI has told me that they need this national registration because of the obvious ability to cross interstate lines, and given the mobility of our population today.

The second bill that I would like to describe very briefly, which also should be noncontroversial, which also deals with children and crimes against children is called the Assaults Against Children Act. That is also included in our Republican crime bill. This would close a very serious gap in the Federal crime abuse law.

This was brought to me by the former U.S. Attorney for Minnesota, Tom Heffelfinger, as a result of several cases on Indian reservations back home in Minnesota. Currently in order for child abuse to be considered a felony in Federal court, the injuries to the child must be permanent or protracted. Whip marks, cigarette burns, and even broken bones do not reach this threshold. So the federal prosecutor can only charge simple assault which carries a 3-month penalty, so most of the cases are not papered. So there is a big gap between a 3-month misdemeanor and a 5-year felony for child assault or assaults against children.

There is no protection, in a nutshell, for the vast majority of Federal child abuse cases which fall in the middle. But this provision in our crime bill would close this gap by providing a maximum of 5 years imprisonment for assaults to children which result in substantial bodily injury like cigarette burns to the face, which I have seen cases of, or broken bones and other blatant examples of child abuse.

Madam Speaker, let me just conclude by saying the Jacob Wetterling bill, which now has 52 cosponsors, and the child abuse bill which has 33 cosponsors, nearly half of these cosponsors are from the other side of the aisle, and I am pleased to state that bipartisan cooperation and to see that spirit of bipartisanship. Again, I only hope we can address all of the elements of a comprehensive crime bill in this bipartisan way.

We do have an opportunity to pass a tough, comprehensive crime bill, and we have an obligation to at least pass those provisions on which all of us can agree, and which are so desperately needed and demanded by the American people.

Madam Speaker, the Republicans have put out comprehensive crime bill on the table. It is tough. It is fair. It is comprehensive. It does put victims' rights first. I urge my colleagues to give it the attention it deserves. Let us work together to pass a comprehensive crime bill and get back to the basic ob-

ligation of government to protect the people in their homes and neighborhoods, because the American people deserve nothing less.

Mr. MCCOLLUM. I certainly enjoyed listening to what the gentleman said, especially outlining those proposals of his that are incorporated now in the comprehensive bill. The republican bill that we are talking about tonight, the big bill incorporates a number of innovative ideas that members have come up with and suggested to us. There is not any pride of authorship of one or two people. The gentleman from Minnesota did author those two he described, and the gentleman from Louisiana authored the one he described. The regional prison concept was a collective effort that we authored, but there were a number of very significant provisions in the bill that we have not emphasized tonight. Perhaps if the gentleman can stay around for a little bit we can discuss a couple of them. You reminded me of one of them because yours deals with child abuse and pedophiles. We have some legislation I think that is really tough in there that the gentlewoman from New York [Ms. MOLINARI] put into the bill, and gave to us as an idea on how to increase the opportunities to get convictions for rape when women are abused. And I think in our society today violent crime, career criminals, crimes against children, crimes against women have got to be at the top of the list of the heinous crimes that are incredibly being allowed to go on out in the streets, and people are repeat offenders, or involved in getting back out and doing them again and again. That is the type of thing that more than anything else the American public senses needs to be addressed.

In addition to that, this bill deals with very diverse things. The issue of terrorism, closing some loopholes in the whole issue where we have political asylum, where people come in here at the international airports and are released quickly into our society when they really should not be, just by claiming they will be persecuted if they go back to the country of their origin. And they are released because we do not have a way to detain them right now, and their hearings are set for hearing their cases later on down the road. They are given work cards, they are given Social Security cards, they are given drivers' licenses, and most of them never show up again.

□ 1930

Well, a lot of those folks—I do not know what the percentage is and maybe "lot" is not a proper word, but I think any amount is too much. Quite a number are probably terrorists, probably people here to do harm against us. We just have no way of knowing it. They come in here without going through the routine screening process and that has to stop.

This legislation contains provisions that would have prescreening, screening that would occur at the airports by specially trained asylum officers and ship people right back out again, as they should be shipped out. It is the subject of separate legislation also.

Now we know that bombers in New York City in that World Trade Center bombing, we know at least one of them came in in that way. One fellow who did the shooting of the CIA offices overstayed his stay here in the United States claiming political asylum and would not have been here to do those crimes had he not been abusing those laws that exist on asylum and had there been a statute of limitations which has been proposed.

In addition to the terrorist area, speaking of aliens, the bill addresses the issue of criminal aliens. Our jails have a very high percentage, some say upwards of 25 percent today, who are aliens. Some of them are here a long time, some of them a very short time; some of them are violent and some of them are not. But most Americans are chagrined at the thought that we are not immediately, after these people serve their sentences, deporting them which we should be doing. But our system has fallen down and they serve their sentences, they get back out again, and they commit crimes again. The bill addresses that. It also does something else. I suspect most people who hear this would say then why are we even letting them finish their sentences in the first place? Most aliens if they are not going to be a great threat to come back in again and commit crimes again frankly should be shipped outside again, shipped right back to the country of origin and deported before they spend the taxpayer money in our prisons.

Mr. LEWIS of Florida proposed that in some legislation. We incorporated that.

There are a number of provisions like that that this bill does. I am sure the gentleman has some in mind that are broader than what we have described up to now.

I would be glad to yield to the gentleman if he has comments on either these or some of the other provisions that are in the bill.

Mr. RAMSTAD. I appreciate the gentleman yielding.

Madam Speaker, certainly no Member of this body knows more about terrorism, or illegal aliens, than the gentleman from Florida [Mr. MCCOLLUM]. I appreciate the gentleman's work in these areas.

Certainly those elements of this bill are meritorious, deserve bipartisan support, and should be passed forthwith, given the recent problems in this country.

I would like to just touch on the subject mentioned by the gentleman with respect to violence against women and

his reference to the gentlewoman from New York [Ms. MOLINARI's] provisions dealing with violence against women.

We all know that in the United States a woman is reported raped on the average of every 4 minutes and rape is the most, the most under-reported crime on the books. FBI estimates only 10 percent of all rapes, sexual assaults are reported.

We have some provisions dealing with this to provide more resources for sexual violence centers, battered women's shelters to deal with this problem. Also there are two other elements in this bill that I think are very important.

The habeas corpus reform is extremely important. Right now it costs the Government more to sentence an individual to death than to sentence that person to his or her life expectancy, to sentence them to life in prison, because of the cost of appeals. The average cost is \$1.2 million to the taxpayers because of all the frivolous appeals.

The habeas corpus reform is desperately needed to give a person sentenced to death one appeal and to limit the time of that appeal.

Also the extension of the death penalty is needed, in my judgment, when people commit violent, heinous crimes such as cop killings, such as mass murders, on the playgrounds that we have seen in this country.

Mr. MCCOLLUM. Reclaiming my time if we may discuss a couple of these, the gentleman raised two important areas. One of them, the habeas corpus area, is deeply disturbing in one respect because of comments that the President made in his press conference when he said he was going to have a crime bill coming that has not yet arrived. He indicated that Senator BIDEN's legislation on this subject was something that he embraced or supported.

Those of us—and the gentleman and I serve on the Committee on the Judiciary—over the years we know that the reason that the crime bill 2 years ago did not become law is because of the type of provisions that are in this proposal in the other body, something this body created actually at one point and the majority wanted to do on the subject of making it actually worse rather than better in terms of what the law provisions are in trying to end these endless appeals that these death row inmates have.

In getting into what I understand of this, putting it as simply as can put it and the gentleman may amplify it, but my understanding of the problem is that the legislation the President seems to be supporting is that there are a number of Supreme Court decisions, U.S. Supreme Court decisions of recent years which tried to move in the direction of mitigating the problems with habeas corpus, trying to eliminate

some of these unnecessary appeals and still preserve the right of the individual criminal accused.

I believe in a number of those instances the proposal that the President seems to be supporting would actually overturn those Supreme Court decisions and try some new language that has never been tried that looks to us and looks to the Association of State Attorneys across the country, who complain to me personally about this, as making it more difficult to get sentences carried out, than even exists today. And that is pretty bad as the gentleman described. Maybe the gentleman will like to amplify that, but that is my understanding of this particular problem and is what I believe is the problem with the President embracing this without even looking, apparently, at what we have in our bill which is quite different.

I yield to the gentleman.

Mr. RAMSTAD. It is difficult to comment on a bill that does not exist. I am not certain, to be very candid, what the President's proposal is today on habeas corpus. We do not have the bill. Again I would renew my plea to the administration to introduce the bill. We need something on the table to deal with.

Mr. MCCOLLUM. That is right.

Mr. RAMSTAD. It is well past January now and we need a crime bill, Mr. President.

Mr. MCCOLLUM. Reclaiming my time again, the gentleman mentioned the death penalties that need to be restored. That is something a lot of us have been trying to do for a long, long time. I doubt too many Americans fully appreciate the fact that I think since 1972 or 1973 there has been no Federal death penalty for virtually all crimes of a Federal nature. One or two that have passed, skyjacking, for example, a provision that I passed into law a few years ago on another area of crime. But for the most part the fact of the matter is that once the Supreme Court ruled all death penalties in the Nation were procedurally defective based on the manner in which the death penalty was being imposed, how instructions were being given to jurors, how courts were deciding, very technical stuff. Once they threw out all of those death penalties of all of the States that had them and the Federal Government back in 1972 or 1973, the States that had the death penalty, every one of them has since then come back and enacted laws necessary to make the death penalty in their State constitutional. It was a little procedural technical thing that they needed to do.

The U.S. Congress never has done that. We still have no death penalty for the assassination of the President of the United States, no death penalty for many of the crimes the gentleman was describing earlier. There are numerous

crimes which previously we had the death penalty for, many of the crimes that the gentleman was describing earlier, that we do not have today if they are committed at the Federal level; assassination being the most dramatic example. But there are lots of others.

While most crimes are committed at the State level, when one is committed at the Federal level that deserves the death penalty, certainly the public deserves no less than to have this body conform and do its will. There are people who are opposed to that, members of this body and the other body who have for years tried to block that and procedurally and otherwise; they have so far been successful. Our Republican crime bill does resurrect this death penalty procedure properly and would allow that to be done, among other things.

Also it contains a provision that I think the gentleman also concurs in, and that is that it would change the law to make it easier to get evidence in when somebody does the search and seizure. If a policeman goes and, today, gets a search warrant there is a provision for a so-called good faith exception to errors that he may make in carrying out his search under that search warrant. The courts say you may admit that into evidence. But if he is in hot pursuit and legally otherwise getting evidence that he acquires along the way as a result of the search that he is doing in this hot pursuit of the criminal somewhere and he does not have a search warrant but everything else is all right, that same exception that allows the evidence in with a search warrant does not exist in the court system today for that evidence.

We have been trying for years, just as with the death penalty restoration at the Federal level, to get that changed. This particular provision may be more significant than the death penalty issue.

□ 1940

It goes to the same type of thing that the habeas corpus does, the endless appeals of State court convictions where you have crimes all across this country.

The same thing is true for this evidentiary rule. It is a Federal rule that the courts are imposing that keeps evidence out, but it is keeping evidence out in State courts. It is keeping evidence out at every level of crime, not just heinous capital cases, but in cases which involve those types of matters of any type of crime, whether it is a burglary, a robbery, an assault, whatever it might be. Those types of things should have been addressed a long time ago, and while we have highlighted primarily today in this special order the issue with respect to the case involving regional prisons, women's crimes, children's crimes, things of that nature, the one I am describing, the thing we

have just been talking about is very, very critical.

Mr. RAMSTAD. Madam Speaker, if the gentleman will yield further, it is difficult to talk about violent crime without talking about drugs, as the gentleman well knows.

Just Friday I met, as I do regularly with my Law Enforcement Advisory Committee, law enforcement officers, drug treatment people, experts, educators, juvenile officers concerned with the crime problem and others, as they pointed out at that meeting, 85 to 90 percent of all crime in America is associated directly or indirectly with the drug problem.

I also applaud the efforts of the gentleman in the drug treatment area. We did have a comprehensive approach last year with the Shaw amendment to provide more resources for drug treatment in America.

It is alarming when we think that over the last 5 years 50 percent of the adult treatment facilities in America have closed, chemical dependency treatment facilities have closed. In the last 3 years, 60 percent of the adolescent treatment facilities in America have closed.

We need to emphasize in this comprehensive approach not only the law enforcement provisions, but also drug treatment and drug education.

That is one thing I am very, very concerned about.

Another thing I am concerned about, when I see the administration cutting the Office of Drug Policy from 138, I believe it was, a staff of 138 down to 25 people. It tells me they are deprioritizing this problem. I believe that is something we need to work on.

Mr. MCCOLLUM. Well, Madam Speaker, if I can reclaim my time on that point, I agree with the gentleman about the drug treatment issue. The war on drugs is a comprehensive type of thing. We have got to attack it on every front. I am as disturbed as the gentleman is by some of these things that are happening, or apparently happening in that particular war on drugs.

We are seeing, for example, the administration seemingly retreating from the whole policy of interdiction. There is an indication out there now that maybe this is no longer something that is effective. Maybe the military doing its little bit in this should not any longer be doing it and so forth.

My judgment, and I think those in law enforcement who deal in this area, would say the same thing, that we cannot continue to sustain the successes we have had, and we have had some successes in the war on drugs, we have reduced the amount of growth in the use of drugs by our young people in our schools. We have not conquered it. It is still a tremendous problem. It is still a problem that drives a lot of the others that we have with crime today, but we have sustained some successes in this area.

We cannot anticipate that this degree of success will continue and that the rate of the use of drugs in this country will continue to be mitigated over the long haul unless we have a balanced approach to this problem of fighting the war on drugs. That includes not only the drug treatment and the education programs which I think are strongly important to discourage use of these drugs, but it includes the type of criminal laws that are going to take the drug kingpins and those who sell drugs off the streets and lock them up for long periods of time if they sell large enough quantities, and indeed have the death penalty even further for those who traffic in very large quantities, and in addition to that have interdiction, have a program where we try to stop the drugs from coming into this country in the first place.

That raises the price of drugs. That makes it more expensive and more difficult for people to be able to acquire them and to take away that tool and to say that, well, it is not working that well, drugs are still getting in here. Of course some are still getting in and, unfortunately, in large quantities. People are always going to find ways to get around the ways that we have to try to stop them; but if we lessen our efforts in that regard, the price of drugs will go down. More narcotics will come in, usage will go up and the cost to American society will be greater, so that is a very significant problem that needs to be addressed.

Madam Speaker, I yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Madam Speaker, I thank my friend for yielding to me.

I just want to thank the gentleman for what he has done in the leadership position in the House with respect to crime.

I have watched the gentleman from Florida [Mr. MCCOLLUM] over the years working on antidrug bills, many measures of which that passed were his, were authored by him. I have watched him keep to this issue tenaciously.

I watch now with respect that the gentleman has been putting this package together and I just want the gentleman to know that many of us, I think on both sides of the aisle, appreciate the great work that the gentleman has been doing. We look forward to working with the gentleman trying to get this thing through in the next several months.

Mr. MCCOLLUM. Madam Speaker, I thank the gentleman.

Reclaiming my time, I would like to close by discussing once again what we have been talking about in the big picture, and that is in the early part of August I introduced as the head of a House Republican task force on crime a very comprehensive crime bill, a benchmark bill, in hopes that the gentlemen and gentlewomen on the other side of the aisle will come forward, as

well as the administration, with something of a comparable comprehensive nature in short order and that we can get together and produce a bipartisan comprehensive total crime bill that will address some of the most egregious problems the American public faces today.

I know health care is a big issue out here right now. I understand that and I am involved in that and we all want to solve that problem.

We understand the deficit problem that we have been battling all year and many of the other issues facing us; but most Americans want to be safe in their homes. They think about that, and whenever they see the type of crime we are seeing on the streets today with the murders in my home State of Florida of the tourists which are just illustrative, unfortunately, of many others that take place with American citizens around this Nation all the time, they and we alike all know that it is time, way past time that we passed this type of legislation.

I would like to come back at the end and remind those of my colleagues who may be listening to this that the heart of this new bill, the new part in it, the part that is sort of highlighted in it has to do with the regional prison concept, a concept that involves partnerships with the States where most of the crimes are committed, an effort in the instance of this bill to propose something new and different, something that would allow prison overcrowding in States to be alleviated. That is such a big problem.

Crime after crime, major violent crimes in this country are being committed each day and each night by people who have been released on the streets after having already committed some major violent crime or a whole series of them. They have no business being out there. They have no business being on the streets at all, but they are being released, and the statistics show that is not located in one or two States. That is nationwide as a problem.

We must address that problem. We must take the most violent criminals and simply lock them up for very long periods of time, make sure they serve their whole sentences, in essence throw away the keys for these folks. Then and only then, once we get them off the streets, can we begin to address the lesser crimes and begin to get the programs in place that hopefully will stop this explosion of crime and get at the root causes and social problems that we have in our areas where they are fostering this type of immoral behavior; but until we take the bold step of getting these violent criminals off the streets, as the legislation in this bill proposes a method of doing with a regional prison system that the Federal Government cost shares with the States, until we do that there is no way

that we can address or begin to address the problem of the underlying causes. There is just too much violent crime and too many people out there, really bad people today, on our streets to begin to get at the other type of problems until we do this.

So again in conclusion, I want to say that I hope my colleagues, and the President, will look at this seriously. I am disappointed that it is not on his agenda as the No. 1 or 2 or 3 or 4 issue even this fall, and I hope that soon it will become one of those issues and that we can all sit down at the table either in the committees, or hopefully soon in a conference committee somewhere, and work out the details to allow regional prisons to become a reality, to allow the laws and make sure the laws of the Federal Government are changed in ways that materially will lock more prisoners up and will help get at the root causes of crime at the same time.

We must put certainty and swiftness of punishment back into our system. Otherwise, you have no deterrence, none whatsoever, and deterrence is the essence of criminal law.

We can talk about reforming the criminal element, but the only way you are going to get rid of the basic hardcore crime is to streamline our system, have the minimum mandatory sentences, have the sentencing guidelines, have certainty and determinate sentences and lock up the really bad ones and throw away the keys.

Mr. HOBSON. Mr. Speaker, I appreciate this opportunity to share my support for the Republican anticrime initiative. Crime in America is increasing at an alarming rate and the United States has more crimes per capita than any other developed country. As murder rates, robberies, assaults, and property crimes soar, the American people need and deserve help in their fight to take back the streets. They need and deserve protection of a basic civil right, which is to live without fear. The Republicans have developed an innovative two-phase plan to reform and improve the criminal justice system. H.R. 2872, the Crime Control Act of 1993, is the first phase of the plan and provides \$5 billion in Federal assistance to State and local law enforcement agencies to put more officers on the streets and keep convicted criminals in prison for their full sentences. The second phase will begin in the fall with a crime summit to examine our criminal justice system, develop and implement more effective crime deterrents, and work toward elimination of the causes of crime. This strategy realizes that immediate action is necessary to address the current crime situation, but a long-term solution must be developed to solve the underlying causes of crime.

The first phase, H.R. 2872 would establish cooperative agreements between States, cities, and counties, enabling them to increase the number of law enforcement agents on the street and build a national system of regional prisons if the localities implement policies to ensure that career and violent criminals are placed and kept behind bars. In addition, this

legislation would deter Federal crimes through new, more stringent sentencing guidelines; promote safe schools through Federal grants; and include provisions to protect children, women, and victims' rights; and further punish terrorism and reduce the number of gangs and criminal aliens.

I would like to draw attention to title I, subtitle C of H.R. 2872 which pertains to crimes against children and contains provisions from legislation that I introduced earlier this year as H.R. 515, the National Child Abuser Registration Act of 1993. I believe that children are our most valuable resource and must be protected. However, far too often, children are the most vulnerable group in our criminal justice system. According to the National Committee for the Prevention of Child Abuse, there were 2.7 million reported cases of child abuse in 1991, up from 2.5 million in 1990. Of those 2.7 million, 15 percent, or 405,000, involved sexual abuse.

H.R. 2872 includes provisions to assist in combatting the serious problem of child abuse by requiring a compilation of national records on those convicted of child abuse or criminal offenses against a minor. This legislation would enable employers to conduct background checks on potential employees in those fields which work with children. By creating a national capability for screening child care personnel, we can insure the protection of our children against repeat and interstate offenders.

This bill reflects the need to get really tough with people who commit crimes against children. The bill also provides for doubling penalties for those who use minors in the commission of crimes and increasing penalties for assaults against children. It also increases penalties for those outside the United States who transport or use minors in sexually explicit materials. Other related provisions of the bill include an increased penalty for drug trafficking near public housing where children can be found and grants to create Federal safe school districts.

In drafting this legislation, Republicans recognized that cities and States cannot afford more unfunded Federal mandates and the American taxpayer cannot afford more Federal programs which increase the deficit. Therefore, H.R. 2872 is funded by cutting Federal administrative overhead expenses by 5 percent across the board and by capping administrative overhead expenses under university research grants at 90 percent or current levels. These funding sources would provide \$7.5 billion over 5 years—enough funding to build the regional prisons, put over 20,000 new law enforcement officers on the street, pay for 3,000 new Border Patrol agents and 1,000 Immigration and Naturalization Service criminal investigators, and the other initiatives in the bill. I urge my colleagues to support H.R. 2872 which is the first step in addressing the growing crime problem in the United States, and does so without increased Government spending.

Mr. LEWIS of Florida. Mr. Speaker, I am proud to join my colleagues in support of H.R. 2872, the Crime Control Act of 1993. The brutal killings of foreign tourists in Florida over the last several weeks have stunned the world and galvanized the American people's cries

for relief from the culture of crime that infects our Nation. Many try to find easy solutions to this difficult problem, and place the blame on guns, drugs, the economy, or our social structure. Unfortunately, the broader and more complex challenge confronting us cannot be linked to any single issue. Only a sustained, comprehensive reform of our entire criminal justice system that emphasizes past successes, turns away from failure, and improves the rules that define how our society treats those who break its laws can create an environment inimical to the culture of crime.

Today, criminals convicted of crimes in my State of Florida will serve little more than a third of their sentences because our overcrowded jails have run out of room to hold all of them. We in Congress can release some of this expending pressure by expelling an entire category of inmates from our country. Over fifty-thousand prisoners in State and Federal facilities are not citizens of the United States. Last year our country spent \$800 million keeping these criminal aliens in our overcrowded prisons. We clothed them, housed them, and fed them. We put them through drug treatment and job training programs to make them better citizens. Then we deported them.

Currently, the U.S. Immigration and Naturalization Service cannot even begin the required hearings to deport most criminal aliens until after they have completed their sentences. When these hearings eventually order an alien's deportation no sooner than a year and another fifteen thousand taxpayer dollars later, the INS finally expels them from our country.

I am pleased to report this comprehensive Republican crime bill has incorporated the provisions of legislation I introduced and 59 of my colleagues cosponsored to expedite the deportation and subsequent exclusion of criminal aliens. The bill's provisions allow the INS to begin deportation hearings immediately following an alien's criminal conviction. Then, when an order of deportation is issued after the conclusion of all related appeals, and the appropriate sentencing authority concurs, the INS could expel these criminal aliens before they finish their sentences, before they return to our streets and commit more crimes.

Mr. Speaker, all criminals deserve just punishment, but our limited prison capacity forces us to release many prisoners early. In my State of Florida, 1 in 4 of these early releases ends up back in jail after committing another crime. Given these realities, it makes considerable more sense to release criminals we can deport, rather than those who will return to our streets and commit more crimes. Deporting criminal aliens will save hundreds of millions of taxpayer dollars, reduce prison overcrowding, and forestall the early release of violent criminals.

Of course, the core of the prison overcrowding problem in Florida and across the Nation isn't too many aliens, or too few prisons, it's too much crime. Now Congress has the chance to respond. I urge my colleagues in the House of Representatives to take action. This bottom-up review of the criminal justice system has the best chance of protecting all citizens, punishing violent criminals for their actions, and helping our communities respond to the culture of crime that has produced a

generation of locked front doors, car alarms, mace-carrying neighbors, and body counts on the nightly news.

I congratulate my colleagues for their fine work and their commitment to our Nation's future.

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GENERAL LEAVE

Mr. MCCOLLUM. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous material, on the subject of my special order.

The SPEAKER pro tempore (Ms. LONG). Is there objection to the request of the gentleman from Florida?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. SHAW (at the request of Mr. MICHEL), for today, on account of personal reasons.

Mr. EVERETT (at the request of Mr. MICHEL), for today until 1 p.m., 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. MCCOLLUM) to revise and extend their remarks and include extraneous material:)

Mr. OXLEY, for 15 minutes, on September 27.

Mr. CASTLE, for 5 minutes, on September 22.

Mr. HUNTER, for 5 minutes, today.

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

Mrs. LOWEY, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. GLICKMAN, for 5 minutes, today.

Mr. LAROCO, for 5 minutes each day, on today and September 22, 23, and 24.

Mr. STARK, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes each day, on September 22 and 23.

Ms. KAPTUR, for 5 minutes each day, on today and September 22, 23, 27, 28, 29, and 30.

Mr. FILNER, for 15 minutes, on September 23.

Mr. POSHARD, for 60 minutes each day, on today and September 22 and 23.

Ms. NORTON, for 60 minutes, on September 22.

EXTENSION OF REMARKS

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

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

Mr. EDWARDS of California.

Mr. ROEMER.

Mr. COLEMAN.

Mrs. THURMAN.

Mr. HOYER.

Mr. LIPINSKI.

Mr. SAWYER.

Mr. MANN.

Mr. BROWN of California.

Mr. BONIOR.

Mr. LAFALCE.

Mr. MCHALE in two instances.

Mr. KILDEE in two instances.

Mr. ANDREWS of Maine.

Mr. LAROCO.

Mr. VENTO.

Mr. MORAN.

Mr. ENGEL.

Mr. CLAY.

Mr. WILSON.

Mr. EDWARDS of Texas.

Mr. REED.

Mr. KLECZKA.

Mr. FORD of Michigan.

Ms. WOOLSEY.

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

Mr. MOORHEAD.

Ms. MOLINARI.

Mr. BURTON of Indiana.

Mr. WALSH.

Mr. BEREUTER in three instances.

Mr. COMBEST.

Mr. SOLOMON in two instances.

Mrs. ROUKEMA.

Mr. OXLEY.

Mr. LEWIS of California in three instances.

Mr. FISH.

Mr. SMITH of Oregon.

Mr. GALLEGLY.

Mr. KNOLLENBERG.

Mr. MICHEL.

Mr. CASTLE.

Mr. SHUSTER.

Mr. QUILLEN.

Mr. SUNDQUIST in four instances.

Mr. BLILEY.

Mr. SMITH of New Jersey.

Mrs. BENTLEY in two instances.

Mr. MENENDEZ.

Mr. JOHNSTON of Florida.

Mr. BECERRA.

Mr. STARK.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 873. An act to provide for the consolidation and protection of the Gallatin Range.

H.J. Res. 220. Joint resolution to designate the month of August as "National Scleroderma Awareness Month," and for other purposes.

SENATE ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolutions of the Senate of the following titles:

S. 184. An act to provide for the exchange of certain lands within the State of Utah, and for other purposes.

S.J. Res. 50. Joint resolution to designate the weeks of September 19, 1993, through September 25, 1993, and of September 18, 1994, through September 24, 1994, as "National Rehabilitation Week."

S.J. Res. 95. Joint resolution to designate October 1993 as "National Breast Cancer Awareness Month."

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On February 5, 1993:

H.R. 1. An act to grant family and temporary medical leave under certain circumstances.

On February 25, 1993:

H.J. Res. 101. Joint resolution to designate February 21 through February 27, 1993, as "National FFA Organization Awareness Week."

On March 4, 1993:

H.R. 920. An act to extend the emergency unemployment compensation program, and for other purposes.

On March 27, 1993:

H.R. 750. An act to extend the Export Administration Act of 1979 and to authorize appropriations under the act for fiscal years 1993 and 1994.

On April 6, 1993:

H.R. 1430. An act to provide for a temporary increase in the public debt limit.

On April 7, 1993:

H.R. 904. An act to amend the Airport and Airway Safety, Capacity, Noise Improvement, and Intermodal Transportation Act of 1992 with respect to the establishment of the National Commission to Ensure a Strong Competitive Airline Industry.

On April 12, 1993:

H.J. Res. 150. Joint resolution designating April 2, 1993, as "Education and Sharing Day, U.S.A."

H.J. Res. 156. Joint resolution concerning the dedication of the United States Holocaust Memorial Museum.

On April 16, 1993:

H.R. 239. An act to amend the Stock Raising Homestead Act to resolve certain problems regarding subsurface estates, and for other purposes.

On April 23, 1993:

H.R. 1335. An act making emergency supplemental appropriations for the fiscal year ending September 30, 1993, and for other purposes.

On May 6, 1993:

H.J. Res. 127. Joint resolution to authorize the President to proclaim the last Friday of April 1993 as "National Arbor Day."

On May 20, 1993:

H.R. 2. An act to establish national vote registration procedures for Federal elections, and for other purposes.

On May 31, 1993:

H.J. Res. 80. Joint resolution designating May 30, 1993, through June 7, 1993, as a

"Time for the National Observance of the Fiftieth Anniversary of World War II."

H.R. 1378. An act to amend title 10, United States Code, to revise the applicability of qualification requirements for certain acquisition work force positions in the Department of Defense, to make necessary technical corrections in that title and certain other defense-related laws, and to facilitate real property repairs at military installations and minor military construction during fiscal year 1993.

On June 8, 1993:

H.J. Res. 78. Joint resolution designating the weeks beginning May 23, 1993, and May 15, 1994, as "Emergency Medical Services Week."

H.J. Res. 135. Joint resolution to designate the months of May 1993 and May 1994 as "National Trauma Awareness Months."

H.R. 1723. An act to authorize the establishment of a program under which employees of the Central Intelligence Agency may be offered separation pay to separate from service voluntarily to avoid or minimize the need for involuntary separation due to downsizing, reorganization, transfer of function, or other similar action, and for other purposes.

H.R. 2128. An act to amend the Immigration and Nationality Act to authorize appropriations for refugee assistance for fiscal year 1993 and 1994.

On June 10, 1993:

H.R. 1313. An act to amend the National Cooperative Research Act of 1984 with respect to joint ventures entered into for the purposes of producing a product, process, or service.

On June 28, 1993:

H.R. 890. An act to amend the Federal Deposit Insurance Act to improve the procedures for treating unclaimed insured deposits, and for other purposes.

On July 1, 1993:

H.R. 2343. An act to amend the Forest Resources Conservation and Shortage Relief Act of 1990 to permit States to adopt timber export programs, and for other purposes.

On July 2, 1993:

H.R. 765. An act to resolve the status of certain lands relinquished to the United States under the Act of June 4, 1897 (30 Stat. 11, 36), and for other purposes.

H.R. 1876. An act to provide authority for the President to enter into trade agreements to conclude the Uruguay round of multilateral trade negotiations under the auspices of the General Agreement on Tariffs and Trade, to extend tariff proclamation authority to carry out such agreements, and to apply congressional fast track procedures to a bill implementing such agreements.

H.R. 2118. An act making supplemental appropriations for the fiscal year ending September 30, 1993, and for other purposes.

On July 16, 1993:

H.J. Res. 213. Joint resolution designating July 2, 1993, and July 2, 1994, as "National Literacy Day."

H.R. 588. An act to designate the facility of the U.S. Postal Service located at 20 South Main in Beaver, UT, as the "Abe Murdock United States Post Office Building."

On July 22, 1993:

H.J. Res. 190. Joint resolution designating July 17 through July 23, 1993, as "National Veterans Golden Age Games Weeks."

On July 28, 1993:

H.R. 1189. An act to entitle certain armored car crew members to lawfully carry a weapon in any State while protecting the security of valuable goods in interstate commerce in the service of an armored car company.

H.R. 2561. An act to authorize the transfer of naval vessels to certain foreign countries.

On August 2, 1993:

H.R. 843. An act to withdraw certain lands located in the Coronado National Forest from the mining and mineral leasing laws of the United States, and for other purposes.

H.R. 847. An act to provide for planning and design of a National Air and Space Museum extension at Washington Dulles International Airport.

H.R. 1347. An act to modify the boundary of Hot Springs National Park.

H.R. 2683. An act to extend the operation of the migrant student record transfer system.

On August 4, 1993:

H.R. 63. An act to establish the Spring Mountains National Recreation Area in Nevada, and for other purposes.

H.R. 236. An act to establish the Snake River Birds of Prey National Conservation Area in the State of Idaho, and for other purposes.

On August 6, 1993:

H.R. 416. An act to extend the period during which chapter 12 of title 11 of the United States Code remains in effect, and for other purposes.

On August 10, 1993:

H.R. 2264. An act to provide for reconciliation pursuant to section 7 of the concurrent resolution on the budget for the fiscal year 1994.

On August 11, 1993:

H.J. Res. 110. Joint resolution to authorize the Administrator of the Federal Aviation Administration to conduct appropriate programs and activities to acknowledge the status of the county of Fond du Lac, WI, as the World Capital of Acrobatics, and for other purposes.

H.J. Res. 157. Joint resolution to designate September 13, 1993, as "Commodore John Barry Day."

H.R. 490. An act to provide for the conveyance of certain lands and improvements in Washington, DC, to the Columbia Hospital for Women to provide a site for the construction of a facility to house the National Women's Health Resource Center.

H.R. 616. An act to amend the Securities and Exchange Act of 1934 to permit members of national securities exchanges to effect certain transactions with respect to accounts for which such members exercise investments discretion.

H.R. 2348. An act making appropriations for the legislative branch for the fiscal year ending September 30, 1994, and for other purposes.

On August 12, 1993:

H.R. 2667. An act making emergency supplemental appropriations for relief from the major, widespread flooding in the Midwest for the fiscal year ending September 30, 1993, and for other purposes.

On August 13, 1993:

H.R. 631. An act to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

H.R. 798. An act to amend title 38, United States Code, to codify the rates of disability compensation for veterans with service-connected disabilities and the rate of dependency and indemnity compensation for survivors of such veterans as such rates took effect on December 1, 1992.

H.R. 2034. An act to authorize major medical facility construction projects for the Department of Veterans Affairs for fiscal year 1994, and for other purposes.

H.R. 2900. An act to clarify and revise the small business exemption from the nutrition

labeling requirements of the Federal Food, Drug, and Cosmetic Act, and for other purposes.

ADJOURNMENT

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

The motion was agreed to: Accordingly (at 7 o'clock and 51 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 22, 1993, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

1903. A letter from the Deputy Assistant Secretary for Weapons Complex Reconfiguration, Department of Energy, transmitting a copy of the "Announcement of Public Scoping Meetings, Reconfiguration Programmatic Environmental Impact Statement"; to the Committee on Armed Services.

1904. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to extend the authority of the Secretary of Defense to waive reimbursement for certain costs incurred in the NATO Airborne Warning and Control System [AWACS] Program; to the Committee on Armed Services.

1905. A letter from the Acting Director, Office of Thrift Supervision, transmitting the 1992 annual report to Congress on implementation of the Community Reinvestment Act of 1977, as amended, pursuant to 12 U.S.C. 2904; to the Committee on Banking, Finance and Urban Affairs.

1906. A letter from the Secretary of Education, transmitting Notice of Final Funding Priority—Technology, Educational Media, and Materials for Individuals with Disabilities Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1907. A letter from the Secretary of Education, transmitting Notice of Final Funding Priority—Postsecondary Education Programs for Individuals with Disabilities, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1908. A letter from the Secretary of Energy, transmitting the Quarterly Report for the Strategic Petroleum Reserve covering the second quarter of the calendar year 1993, pursuant to 42 U.S.C. 6245(b); to the Committee on Energy and Commerce.

1909. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Daniel L. Spiegel, of Virginia, to be Ambassador to the European Office of the United Nations, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

1910. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

1911. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Secretary's Memorandum of Justification for a Determination Authorizing the Provision of Military Education

and Training in Haiti; to the Committee on Foreign Affairs.

1912. A letter from the Director, Office of Management and Budget, transmitting the 1993 Federal Financial Management Status Report and 5-Year Plan, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

1913. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation entitled "Marking of Plastic Explosives for Detection Act"; to the Committee on the Judiciary.

1914. A letter from the Secretary of Commerce, transmitting the annual report on the activities of the Economic Development Administration, U.S. Department of Commerce, for fiscal year 1992, pursuant to 42 U.S.C. 3217; to the Committee on Public Works and Transportation.

1915. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to authorize appropriations for the Global Cooperative Initiatives and the Counterproliferation initiative; jointly, to the Committees on Armed Services and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS: Committee on the Judiciary. H.R. 1152. A bill to direct the U.S. Sentencing Commission to make sentencing guidelines for Federal criminal cases that provide sentencing enhancements for hate crimes; with an amendment (Rept. 103-244). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 1385. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow formula grants to be used to prosecute persons driving while intoxicated (Rept. 103-245). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLAY: Committee on Post Office and Civil Service. S. 1130. An act to provide for continuing authorization of Federal employee leave transfer and leave bank programs, and for other purposes; with an amendment (Rept. 103-246). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLAY: Committee on Post Office and Civil Service. H.R. 3019. A bill to amend title 5, United States Code, to provide for a temporary extension and the orderly termination of the performance management and recognition system, and for other purposes (Rept. 103-247). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROWN of California: Committee on Science, Space, and Technology. H.R. 2811. A bill to authorize certain atmospheric, weather, and satellite programs and functions of the National Oceanic and Atmospheric Administration, and for other purposes; with an amendment (Rept. 103-248). Referred to the Committee of the Whole House on the State of the Union.

Mr. STUDDS: Committee on Merchant Marine and Fisheries. H.R. 2684. A bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act (Rept. 103-249). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON: Committee on Rules. House Resolution 252. Resolution relating to con-

sideration of the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-250). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of Rule X the following action was taken by the Speaker:

H.R. 2811. Discharged from the Union Calendar and referred to the Committee on Merchant Marine and Fisheries for a period ending not later than October 22, 1993, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(m) of rule X.

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. SCHUMER (for himself and Mr. SENSENBRENNER):

H.R. 3093. A bill to amend title 18, United States Code, with respect to health care fraud, and for other purposes; to the Committee on the Judiciary.

By Ms. BROWN of Florida:
H.R. 3094. A bill to provide for the transfer of the naval hospital located at the Orlando Naval Training Center, FL, to the Department of Veterans Affairs for use as an expanded ambulatory care center, a nursing home complex, and a facility for related medical purposes; jointly, to the Committees on Armed Services and Veterans' Affairs.

By Mr. CAMP:
H.R. 3095. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of certain lump sum distributions under the pension offset requirements applicable to State unemployment compensation laws; to the Committee on Ways and Means.

By Mr. EVANS:
H.R. 3096. A bill to amend title 38, United States Code, to provide for the organization and administration of the Readjustment Counseling Service, to improve eligibility for readjustment counseling and related counseling, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. FURSE:
H.R. 3097. A bill to amend the Public Health Service Act to provide for research on the effects that environmental factors have on women's health; to the Committee on Energy and Commerce.

By Mr. GLICKMAN (for himself and Mr. CASTLE):
H.R. 3098. A bill to amend title 18, United States Code, to prohibit the possession of a handgun or handgun ammunition by, or the private transfer of a handgun or handgun ammunition to, a juvenile; to the Committee on the Judiciary.

By Mr. HUNTER (for himself, Mr. BURTON of Indiana, Mr. DOOLITTLE, Mr. GILLMOR, Mr. GREENWOOD, Mr. HUTCHINSON, Mr. SAM JOHNSON, Mr. KNOLLENBERG, Mr. MCKEON, Mr. NUSSLE, Mr. OXLEY, Mr. RAMSTAD, Mr. SAXTON, Mr. SCHAEFER, Mr. WALKER, and Mr. CUNNINGHAM):

H.R. 3099. A bill to establish the Federal Workforce Reduction and Realignment Commission; jointly, to the Committees on Post Office and Civil Service and Rules.

By Mr. EDWARDS of California:

H.R. 3100. A bill to establish the Commission on National Drug Policy; jointly, to the Committees on the Judiciary and Energy and Commerce.

By Mr. KYL:

H.R. 3101. A bill to amend the Internal Revenue Code of 1986 to provide a temporary reduction in the tax on capital gains and to provide for the indexing of certain assets; to the Committee on Ways and Means.

By Mr. LAROCCA (for himself and Mr. CASTLE):

H.R. 3102. A bill to amend the Truth in Lending Act, Truth in Savings Act, and Consumer Leasing Act to modify certain disclosure requirements; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LIPINSKI (for himself, Mr. STUDDS, Mr. FIELDS of Texas, Mr. BATEMAN, Mr. HUGHES, Mr. HUTTO, Mr. TAUZIN, Mr. ORTIZ, Mr. MANTON, Mr. PICKETT, Mr. HOCHBRUECKNER, Mr. PALLONE, Mr. REED, Ms. SCHENK, Mr. GENE GREEN of Texas, Mr. BARLOW, Mr. STUPAK, Mr. ACKERMAN, Mr. YOUNG of Alaska, Ms. FURSE, Mr. INHOPE, Mr. DIAZ-BALART, Mrs. BENTLEY, Mr. TORKILDSEN, and Mr. CUNNINGHAM):

H.R. 3103. A bill to amend the Merchant Marine Act, 1936, to establish a National Commission to Ensure a Strong and Competitive United States Maritime Industry; to the Committee on Merchant Marine and Fisheries.

By Mr. MCINNIS:

H.R. 3104. A bill to suspend until January 1, 1996, the duty on continuous oxidized polyacrylonitrile fiber tow; to the Committee on Ways and Means.

By Ms. MOLINARI (for herself, Mr. HUNTER, and Mr. GALLEGLY):
H.R. 3105. A bill to restructure the enforcement components of the Immigration and Naturalization Service; to the Committee on the Judiciary.

By Mr. PAYNE of Virginia:

H.R. 3106. A bill to amend the Thomas Jefferson Commemoration Commission Act to extend the deadlines for reports; to the Committee on Post Office and Civil Service.

By Mrs. ROUKEMA:

H.R. 3107. A bill to direct the Secretary of the Interior to make matching contributions toward the purchase of the Sterling Forest in the State of New York, and for other purposes; to the Committee on Natural Resources.

By Mr. SMITH of New Jersey:

H.R. 3108. A bill to authorize the Secretary of Veterans Affairs to expand the scope of services provided veterans in Vet Centers; to the Committee on Veterans' Affairs.

By Mr. STARK (for himself and Mr. GUNDERSON):

H.R. 3109. A bill to require that educational organizations that offer educational programs to minors for a fee disclose certain information; to the Committee on Education and Labor.

By Mrs. VUCANOVICH:

H.R. 3110. A bill to designate the U.S. courthouse and Federal building to be constructed at the southeastern corner of Liberty and South Virginia Streets in Reno, NV, as the "Bruce R. Thompson United States Courthouse and Federal Building"; to the Committee on Public Works and Transportation.

By Mr. ZIMMER (for himself and Mr. SLATTERY):

H.R. 3111. A bill to require the Administrator of the Environmental Protection

Agency to seek advice concerning environmental risks, and for other purposes; jointly, to the Committee on Energy and Commerce, Agriculture, Merchant Marine and Fisheries, Public Works and Transportation, and Science, Space, and Technology.

By Mr. DUNCAN:

H.J. Res. 263. Joint resolution proposing an amendment to the Constitution of the United States to provide for a runoff election if no candidate receives more than 50 percent of the popular vote nationally; to the Committee on the Judiciary.

By Ms. BYRNE (for herself, Mr. COPPERSMITH, and Mr. MORAN):

H. Con. Res. 147. Concurrent resolution expressing the sense of the Congress that any health care reform legislation that is enacted should require a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress and any individual holding a position in levels I through III of the Executive Schedule to enroll in a health plan offering the standard benefit package; jointly, to the Committees on House Administration and Post Office and Civil Service.

By Mr. SOLOMON:

H. Con. Res. 148. Concurrent resolution relating to the Republic of China on Taiwan's participation in the United Nations; to the Committee on Foreign Affairs.

By Mr. LAFALCE:

H. Res. 253. Resolution expressing the sense of the House of Representatives on the urgency of U.S. ratification of U.N. human rights treaties; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FOGLIETTA:

H.R. 3112. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for the vessel *Gazela*; to the Committee on Merchant Marine and Fisheries.

By Mrs. JOHNSON of Connecticut:

H.R. 3113. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade of the United States for the vessel *Endeavour*; to the Committee on Merchant Marine and Fisheries.

By Mr. REED:

H.R. 3114. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade of the United States for the vessel *Aboriginal*; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

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

H.R. 28: Mr. CALLAHAN.
H.R. 52: Mr. CANADY.
H.R. 58: Mr. MOORHEAD.
H.R. 140: Mr. MCHUGH, Mr. WOLF, Mr. JACOBS, Mr. GILLMOR, Mr. YOUNG of Alaska, Mr. STUPAK, and Mr. MAZZOLI.
H.R. 166: Mr. COX.
H.R. 291: Mr. SANGMEISTER, Mr. GOSS, Mr. MCCLOSKEY, and Mr. GALLO.
H.R. 401: Mr. WALSH and Mr. ROHRABACHER.

H.R. 460: Mr. GALLEGLY, Mr. HASTINGS, Mr. HILLIARD, and Mr. TOWNS.
H.R. 464: Mr. BUNNING.
H.R. 466: Mr. CASTLE, Mr. FOGLIETTA, Mr. RANGEL, and Mr. WELDON.
H.R. 479: Mr. MINETA.
H.R. 488: Mr. KREIDLER and Mr. QUINN.
H.R. 509: Mr. THOMAS of Wyoming.
H.R. 546: Mr. FAZIO and Mr. PETERSON of Minnesota.
H.R. 562: Mr. HUNTER and Mr. TALENT.
H.R. 563: Mr. CANADY, Mr. HUNTER, and Mr. TALENT.
H.R. 688: Mr. GILLMOR.
H.R. 723: Mr. COX.
H.R. 784: Ms. KAPTUR and Mr. KLECZKA.
H.R. 789: Mr. WISE.
H.R. 794: Mr. ANDREWS of Maine.
H.R. 796: Mr. TORKILDSEN.
H.R. 830: Mr. GORDON, Mr. RAHALL, and Mr. TANNER.
H.R. 832: Mr. FARR.
H.R. 864: Mr. FRANK of Massachusetts.
H.R. 886: Mr. PORTMAN.
H.R. 915: Mr. VISCLOSKEY and Mr. HINCHEY.
H.R. 921: Mr. LEWIS of Georgia, Mr. YATES, Mrs. MORELLA, and Mr. STUDDS.
H.R. 1017: Mr. KENNEDY.
H.R. 1024: Mr. LAUGHLIN.
H.R. 1079: Ms. HARMAN and Mr. HUTTO.
H.R. 1080: Mr. MCCREERY and Mr. HUTTO.
H.R. 1081: Mr. HUTTO.
H.R. 1083: Mr. HUTTO.
H.R. 1151: Mr. ANDREWS of New Jersey, Mr. HASTINGS, Mr. BARLOW, Mr. JOHNSON of South Dakota, and Mr. SCHUMER.
H.R. 1156: Mr. CALVERT.
H.R. 1158: Mr. SANDERS.
H.R. 1182: Mr. ANDREWS of Maine and Mr. SCHUMER.
H.R. 1191: Mr. HUNTER, Mr. DORNAN, and Mr. HUTTO.
H.R. 1231: Mr. ANDREWS of New Jersey.
H.R. 1237: Mr. ENGEL, Mr. NEAL of Massachusetts, Mr. STARK, Mr. BONIOR, Mr. BISHOP, Mr. RUSH, Mr. WAXMAN, Ms. LOWEY, and Mr. MINGE.
H.R. 1272: Mr. MCKEON.
H.R. 1293: Mr. MCCREERY.
H.R. 1332: Mr. CLINGER and Mr. SANDERS.
H.R. 1344: Mr. SANDERS and Mr. BOUCHER.
H.R. 1407: Mr. PALLONE.
H.R. 1419: Mr. SMITH of New Jersey.
H.R. 1555: Mr. ROEMER and Mr. BARRETT of Wisconsin.
H.R. 1572: Mrs. VUCANOVICH, Mr. BAKER of Louisiana, Mr. KIM, and Mr. BALLENGER.
H.R. 1579: Mr. FAZIO, Mr. ACKERMAN, Mr. SHARP, Mr. ANDREWS of Maine, and Mr. BECERRA.
H.R. 1583: Mrs. MINK and Mr. QUINN.
H.R. 1604: Mr. COX.
H.R. 1671: Mr. FAZIO, Mr. CLYBURN, Mr. BOEHLERT, and Mrs. UNSOELD.
H.R. 1707: Ms. KAPTUR, Mr. SANDERS, and Mr. MANTON.
H.R. 1715: Mr. ANDREWS of New Jersey, Ms. KAPTUR, Mr. SANDERS, and Mr. MANTON.
H.R. 1886: Mr. RUSH, Mr. REYNOLDS, Mr. WYNN, Mr. TRAFICANT, Mr. OBERSTAR, Mr. WHITTEN, Mr. YATES, and Mr. SHAYS.
H.R. 1918: Mr. JOHNSON of Georgia.
H.R. 2031: Mr. HOUGHTON, Mr. BLILEY, and Mr. BATEMAN.
H.R. 2050: Mr. SANDERS.
H.R. 2091: Mr. CALVERT.
H.R. 2173: Mr. SMITH of New Jersey.
H.R. 2241: Mr. BEREUTER, Mr. HOBSON, and Mr. WHITTEN.
H.R. 2293: Mr. BALLENGER, Mr. HILLIARD, Mr. BARCA of Wisconsin, and Mrs. THURMAN.
H.R. 2307: Mr. CANADY.
H.R. 2341: Mr. BILIRAKIS, Mr. EVANS, Mr. STUMP, Mr. SANGMEISTER, Mr. EDWARDS of

Texas, Mr. EVERETT, Mr. KING, Mr. SPENCE, Mr. HALL of Ohio, and Mr. GENE GREEN of Texas.
H.R. 2379: Mr. MOORHEAD.
H.R. 2415: Mr. HANCOCK.
H.R. 2417: Mr. CRAPO, Mr. RAVENEL, Mr. CALVERT, and Mr. WELDON.
H.R. 2433: Mr. COX.
H.R. 2462: Mr. BURTON of Indiana.
H.R. 2552: Mr. ABERCROMBIE.
H.R. 2586: Mr. MAZZOLI.
H.R. 2599: Mr. NADLER and Ms. SHEPHERD.
H.R. 2602: Mr. LEWIS of Florida, Mr. SHAYS, and Mrs. MEYERS of Kansas.
H.R. 2648: Mr. FOGLIETTA, Mr. OWENS, Mr. SCOTT, Mr. WYNN, and Mr. WAXMAN.
H.R. 2702: Mr. GILCHREST, Mr. MCDADE, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2721: Mr. MINETA and Mr. STARK.
H.R. 2727: Mr. LEWIS of Georgia, Ms. NORTON, Mr. TOWNS, Mr. REYNOLDS, Mr. SANDERS, and Mr. SMITH of New Jersey.
H.R. 2742: Mr. VOLKMER, Mr. CLAY, Mr. EMERSON, Mr. SKELTON, Mr. GEPHARDT, Mr. HANCOCK, Mr. TALENT, Mr. DURBIN, Mr. COSTELLO, Mr. GUTIERREZ, Mr. EVANS, Mr. REYNOLDS, Mr. CRANE, Mr. NATCHER, Mr. MINGE, Mr. POSHARD, Mr. EWING, Mrs. VUCANOVICH, Mr. MOAKLEY, Mr. HINCHEY, Mr. RUSH, Mr. BONIOR, Mr. SCOTT, and Mr. SMITH of New Jersey.
H.R. 2758: Mr. BONILLA, Mr. ZIMMER, and Mr. CANADY.
H.R. 2760: Mr. TORKILDSEN.
H.R. 2786: Mr. CANADY, Mr. HOYER, and Mr. PORTER.
H.R. 2787: Mr. MARKEY, Mr. BARRETT of Wisconsin, Mrs. MINK, and Mr. McDERMOTT.
H.R. 2817: Ms. NORTON, Mr. CLAY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SERRANO, Mr. BARRETT of Wisconsin, Mr. FRANK of Massachusetts, and Ms. PELOSI.
H.R. 2841: Mr. FROST.
H.R. 2860: Mr. PACKARD.
H.R. 2884: Mr. HOUGHTON and Mr. LEVIN.
H.R. 2959: Mr. SAXTON, Mr. ZIMMER, Mr. KING, Mr. BAKER of Louisiana, Mr. CANADY, Mr. PORTMAN, Mr. LIGHTFOOT, Mr. WELDON, Mr. ROYCE, Ms. DUNN, Mr. EMERSON, Mr. KIM, Mr. GOODLATTE, Mr. COX, Mr. CRANE, Mr. BARTLETT of Maryland, Mr. TORKILDSEN, and Mr. ROHRABACHER.
H.R. 2971: Mr. FALCOMAVAEGA, Mr. STEARNS, Mr. FROST, Mr. KING, Mr. ANDREWS of New Jersey, Mr. SCHIFF, Mr. RAHALL, Mr. SANDERS, Mr. SMITH of Iowa, and Mrs. MINK.
H.R. 2995: Mr. CRANE, Mr. BALLENGER, Mr. COPPERSMITH, Mr. TAYLOR of Mississippi, Mr. SCHAEFER, Mr. KREIDLER, Mr. HAYES, Mr. CANADY, Mr. FROST, Ms. MARGOLIES-MEZVINSKY, Mr. GENE GREEN of Texas, Mr. DEAL, Mr. KLINK, Mr. EDWARDS of Texas, Mr. BACCHUS of Florida, and Mr. TANNER.
H.R. 3005: Mr. CRAPO, Mr. GREENWOOD, Mr. TORKILDSEN, Mr. ROHRABACHER, Mr. HANSEN, and Mr. SOLOMON.
H.R. 3009: Mr. BEILINSON.
H.R. 3012: Mr. COSTELLO.
H.R. 3021: Mr. MOORHEAD, Mr. GORDON, Mr. DELAY, and Mr. FROST.
H.R. 3024: Mr. KYL and Mr. BARTLETT of Maryland.
H.R. 3049: Mr. FIELDS of Texas and Mr. TORKILDSEN.
H.R. 3077: Mr. BLUTE.
H.R. 3080: Mr. TAYLOR of North Carolina, Mr. COBLE, Mr. CALVERT, Mr. SMITH of Texas, Mr. SUNDQUIST, Mr. DICKEY, Mr. HOEKSTRA, and Mr. HOUGHTON.
H.R. 3087: Mr. WILLIAMS, Mr. HOCHBRUECKNER, Ms. MARGOLIES-MEZVINSKY, and Mr. WHITTEN.
H.J. Res. 36: Mr. COPPERSMITH.
H.J. Res. 111: Mr. LEVY, Mr. DELLUMS, Mr. MONTGOMERY, Mr. MATSUI, Mr. GILLMOR, Mr.

ROMERO-BARCELO, Mr. SPRATT, Mr. KREIDLER, Mr. ARCHER, Mr. PAXON, Mr. HUTTO, Mr. TAYLOR of Mississippi, Mr. TALENT, Ms. DANNER, Mr. BOEHLERT, Mr. TRAFICANT, Mr. RICHARDSON, Mr. SISISKY, Mr. SMITH of Oregon, Mr. KILDEE, Ms. FURSE, Mr. DUNCAN, Mr. LEWIS of Florida, Mr. COOPER, Mr. DE LA GARZA, Mr. GEJDENSON, Mr. BILBRAY, Mr. MCCOLLUM, Mrs. CLAYTON, Mr. SANDERS, Mr. JOHNSON of South Dakota, Mr. BAKER of California, Mr. SCHUMER, Mr. MOORHEAD, Mr. NADLER, and Ms. WOOLSEY.

H.J. Res. 113: Mr. CRAMER.
H.J. Res. 129: Mr. HUNTER and Mr. DORNAN.
H.J. Res. 139: Mr. GOODLING.

H.J. Res. 175: Ms. BYRNE, Mr. BLILEY, Mr. MURTHA, Mr. HOEKSTRA, Mr. BLACKWELL, Mr. MARKEY, Mr. HASTERT, Mr. RAVENEL, Mr. POSHARD, Mr. WOLF, Mr. FINGERHUT, Mr. NATCHER, Mr. OBERSTAR, Mr. TANNER, Mr. TRAFICANT, and Ms. VELAZQUEZ.

H.J. Res. 205: Mr. KIM, Mr. DEUTSCH, Mr. GLICKMAN, Mr. BATEMAN, Mr. MURTHA, Mr. KILDEE, Mr. ROEMER, Mr. MORAN, Mr. SANGMEISTER, Mr. NUSSLE, Mr. LEVIN, Mr. GEJDENSON, Mr. ARCHER, Mr. GREENWOOD, Mr. WELDON, Mr. MACHTLEY, Mr. CALVERT, Mr. FRANK of Massachusetts, Mr. HOLDEN, Mr. REED, Mr. GOODLING, Mr. ABERCROMBIE, Mr. FOGLIETTA, Ms. NORTON and, Ms. BYRNE.

H.J. Res. 206: Mr. EMERSON, Mr. MILLER of Florida, Ms. MALONEY, Mr. LEVIN, Ms. LONG, Mr. GEPHARDT, Mr. SWETT, Mr. ANDREWS of New Jersey, Mr. FISH, Mr. LAROCO, Mr. LEACH, Mr. LEWIS of Florida, Mr. MANN, Mr. REGULA, and Mr. SKEEN.

H.J. Res. 209: Mr. DE LUGO, Mr. KREIDLER, Mr. FAZIO, Mr. JACOBS, Mr. ARCHER, Mrs. MORELLA, and Mr. MOORHEAD.

H.J. Res. 216: Mr. ENGEL, Mr. BILIRAKIS, Mr. CLEMENT, Mr. MARKEY, Mr. LIVINGSTON, Mr. ROBERTS, Ms. SLAUGHTER, Mr. TRAFICANT, Mr. TAUZIN, Mr. GORDON, Mr. HASTERT, Mr. EVANS, Mr. WILSON, Mr. PACKARD, Mr. FAZIO, and Mrs. BENTLEY.

H.J. Res. 226: Mr. BILBRAY, Mr. ROEMER, Mr. WILSON, Mr. MATSUI, Mrs. MEEK, Mr. ANDREWS of New Jersey, Mr. BACCHUS of Florida, Mr. BARRETT of Wisconsin, Mr. KASICH, Mr. SHAW, Mr. SPENCE, Mr. CLAY, Mr. COPPERSMITH, Mr. EDWARDS of Texas, Mr. FISH, Mr. HOCHBRUECKNER, Mr. HILLIARD, Mr. LAROCO, Mr. BARLOW, Mr. MEEHAN, Ms. MALONEY, Mr. MORAN, Mr. MARKEY, Mr. WYDEN, Mr. FLAKE, Mr. ORTON, Mr. REYNOLDS, Mr. BERMAN, Ms. KAPTUR, Mrs. MORELLA, Mr. SAXTON, Mr. DIAZ-BALART, and Mr. SKEEN.

H.J. Res. 234: Mrs. MEYERS of Kansas, Mr. SLATTERY, Mr. ROBERTS, Mr. MARTINEZ, Mr. BOEHLERT, Mr. DOOLITTLE, Mr. LEVY, Mr. BLILEY, Mr. GEKAS, Mr. HUTTO, Mr. MINETA, Mr. RAVENEL, Mr. SABO, Mr. FRANK of Massachusetts, Mr. SERRANO, Mr. SKEEN, Mr. CRAPO, Mr. SAXTON, and Mr. TANNER.

H.J. Res. 256: Mr. BARTLETT of Maryland.
H.J. Res. 259: Mr. MICA.

H.J. Res. 262: Mr. BARCIA of Michigan, Mr. PALLONE, Mr. TAYLOR of North Carolina, and Mr. GEPHARDT.

H. Con. Res. 59: Ms. BYRNE.

H. Con. Res. 84: Mr. DUNCAN and Mr. SANDERS.

H. Con. Res. 88: Mr. LEWIS of Florida.

H. Con. Res. 107: Mr. COMBEST, Mr. STRICKLAND, Mr. DICKS, Mr. TOWNS, Mr. WAXMAN, Mr. SANDERS, Mr. SOLOMON, Mr. EVANS, Mr. SANTORUM, Mr. HOLDEN, and Mr. LEWIS of Georgia.

H. Con. Res. 141: Mr. TAYLOR of North Carolina, Mrs. VUCANOVICH, Mr. DEUTSCH, Ms. BYRNE, Mr. BLUTE, Ms. SNOWE, Mrs. ROUKEMA, Mr. PORTMAN, Ms. DUNN, Mrs. MEYERS of Kansas, Mr. GORDON, Ms. FOWLER, Mr. LIPINSKI, Mr. SCHAEFER, and Mr. COBLE.

H. Res. 134: Mr. TAUZIN and Mr. CRANE.

H. Res. 165: Mr. TORKILDSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SHAYS, Mr. LIVINGSTON, Mr. QUINN, Mr. BUYER, Mr. CLYBURN, Mr. GEJDENSON, Mr. HANCOCK, Mr. HOCHBRUECKNER, Mr. DELAY, Mr. MANTON, Mr. GOODLING, Mr. BARCIA of Michigan, Mr. HOBSON, Mr. COPPERSMITH, and Mr. LAROCO.

H. Res. 234: Mr. ROSE, Mr. MACHTLEY, Mrs. VUCANOVICH, Mr. FOGLIETTA, Mr. ARCHER, Mr. SARPALIUS, Mr. DELLUMS, Mrs. ROUKEMA, Mr. FILNER, Mr. GIBBONS, Mr. RAVENEL, Mr. MANZULLO, Mr. SMITH of New Jersey, Mr. FROST, Mrs. MINK, Mr. SCHUMER, Mr. MINGE, Mr. ROEMER, Mr. MORAN, and Mr. CALVERT.

H. Res. 236: Mr. HAYES, Mr. BILBRAY, and Mr. MARTINEZ.

H. Res. 239: Mr. FRANKS of New Jersey, Mrs. VUCANOVICH, Mr. STEARNS, and Mr. BAKER of Louisiana.

H. Res. 247: Mr. BARTLETT of Maryland and Mr. GENE GREEN of Texas.