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The point of no quorum is considered withdrawn.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
Baker (CA)
Brown (CA)
Burton
Crane
DeLay
Doolittle
Hancock
Rohrabacher
Stump
Taylor (NC)

NAYS—376

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

NOT VOTING—46

Abercrombie
Baesler
Baker (LA)
Bentley
Berman
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.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Brown (FL)	Hefner	Rangel
Condit	Hinchey	Ridge
Cooper	Kaptur	Ros-Lehtinen
DeFazio	Kingston	Sanders
Dellums	Klein	Shaw
Deutsch	Matsui	Sisisky
Dornan	McDade	Stark
Engel	McKinney	Torres
Everett	Mfume	Traficant
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 thereon, 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, appoints Carolynn 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 noes 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	Boehlert	Coble
Andrews (ME)	Boehner	Coleman
Andrews (NJ)	Bonilla	Collins (GA)
Andrews (TX)	Borski	Collins (IL)
Applegate	Boucher	Collins (MI)
Archer	Brewster	Combest
Armey	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
Beilenson	Cardin	DeLay
Bereuter	Castle	Dellums
Bevill	Chapman	Diaz-Balart
Bilbray	Clay	Dickey
Bilirakis	Clayton	Dicks
Bishop	Clement	Dingell
Bliley	Clinger	Dixon

Dooley
Doolittle
Dreier
Duncan
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings
Hayes
Hefley
Herger
Hilliard
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Inslee
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers (KS)
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers (IN)
Nadler
Natcher
Neal (MA)
Nussle
Oberstar
Obey
Olver
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
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
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
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
Torricelli
Tucker
Unsoeld
Upton
Velázquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zeliff
Zimmer

NAYS—1

Young (AK)

NOT VOTING—42

Abercrombie
Bacchus (FL)
Baesler
Bentley
Berman
Blackwell
Bonior
Brown (CA)
Carr
Condit
Cooper
de la Garza
Derrick
Deutsch
Dornan
Everett
Ford (MI)
Gephardt
Greenwood
Hefner
Hinchey
Istook
Jacobs
Kaptur
Kingston
Klein
McCandless
McDade
Mfume
Neal (NC)
Ortiz
Payne (NJ)
Ros-Lehtinen
Sanders
Shaw
Swett
Torkildsen
Torres
Towns
Traficant
Valentine
Wilson

□ 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. Aideed 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 or 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 gainer 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 redivest 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 APPROPRIATIONS FOR STATE CEMETERY 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 guarantee. 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 installation, 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 benedisability 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 veterans 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 appropriations	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 500 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.

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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. Hatred, 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 defendent'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 arrested 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, antisemitism, 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, a 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"; 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 authorization 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 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. 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 report 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 payout 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 gentlewoman 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.—Subchaper 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, in 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 "ailment,".

(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 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, 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 cosponsor 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, telecommunting, 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 gentlewoman 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 performance 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 ingrade 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 gentlewoman 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 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. 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 interest 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 gentlewoman 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 gentlelady 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 reelected 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 nondepleted 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 extend 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 interpretive 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 environment 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 collegues 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 jurisdiction 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 to 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 Christi 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 Senate 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 identification 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 citizenship, 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 needed 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 garnisheed 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 garnisheed; 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 believe 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?

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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 gentlewoman 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 opposition 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 nonpolitical 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 nonpartisanship 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 battens. The federal government, 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.

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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 gentlewoman 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 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. Afterall, 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	Bliley

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)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
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
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Houghton
Hoyer
Hughes
Hutto
Inslee
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-Mezvinsky
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
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shays
Shepherd
Sisisky
Skaggs
Skeen
Skelton
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
Traficant
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
Armey
Bacchus (FL)
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
Bilirakis
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)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
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
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutchinson
Hutto
Hyde
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
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
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
McCollum
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)
Neal (NC)
Nussle
Oberstar
Obey
Olver
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
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
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
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
Wheat
Whitten
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

ANSWERED "PRESENT"—1

Istook

NOT VOTING—7

Abercrombie
Ford (TN)
Rose
Shaw
Traficant
Williams
Wilson

□ 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 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
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
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
Bilirakis
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)
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
Herger
Hilliard
Hinchey
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
Levy
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
McCollum
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)
Neal (NC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
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
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
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
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
Wheat
Whitten
Wise
Wolf
Woolsey
Wyden

Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—1

Penny

NOT VOTING—6

Abercrombie
Rose
Shaw
Traficant
Williams
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
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
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
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
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
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crane
Crapo
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)
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
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Holden
Horn
Houghton
Hoyer
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
Levy
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
McCollum
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)
Neal (NC)
Nussle
Oberstar
Obey
Olver
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
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
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
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
Waxman
Weldon
Wheat
Whitten
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—3

Cunningham
Huffington
Sensenbrenner

NOT VOTING—10

Abercrombie
Bryant
Conyers
Hoke
Rose
Shaw
Traficant
Watt
Williams
Wilson

□ 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
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
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
Bilirakis
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
Durbin
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Everett
Farr
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
Herger
Hilliard
Hinchey
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
Levy
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
McCollum
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)
Neal (NC)
Nussle
Oberstar
Obey
Olver
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
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
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
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
Wheat
Whitten
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—2

Dunn
Sensenbrenner

NOT VOTING—8

Abercrombie
Edwards (CA)
Ewing
Rose
Shaw
Traficant
Williams
Wilson

□ 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
Armey
Bacchus (FL)
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
Bilirakis
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
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)
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
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
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
Levy
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
McCollum
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)
Neal (NC)
Nussle
Oberstar
Obey
Olver
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
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
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
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
Wheat
Whitten
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—4

Cunningham
Huffington
Royce
Sensenbrenner

NOT VOTING—7

Abercrombie
Rose
Shaw
Traficant
Williams
Wilson
Wise

□ 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
Andrews (ME)
Andrews (NJ)
Applegate
Bacchus (FL)
Bachus (AL)
Baesler
Baker (LA)
Barca
Barcia
Barlow
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Blute
Boehlert
Boehner
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Buyer
Byrne
Calvert
Camp
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Combest
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crapo
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Dornan
Dreier
Dunn
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Ewing
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
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Houghton
Hoyer
Hughes
Inslee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kleczka
Klein
Klug
Kolbe
Kopetski
Kreidler
Kyl
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
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)
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Ros-Lehtinen
Rostenkowski
Roth
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (NC)
Tejeda
Thomas (CA)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Unsoeld
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Washington
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)

NOES—69

Allard
Andrews (TX)
Archer
Armey
Baker (CA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bliley
Bonilla
Bunning
Burton
Callahan
Canady
Coble
Collins (GA)
Condit
Crane
Cunningham
DeLay
Dickey
Doolittle
Duncan
Everett
Fowler
Goodlatte
Hancock
Hansen
Hastert
Hefley
Herger
Hoekstra
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Kingston
Klink
Knollenberg
LaFalce
Manzullo
McMillan
Mica
Moorhead
Orton
Paxon
Penny
Petri
Pombo
Rohrabacher
Roukema
Royce
Schaefer
Sensenbrenner
Shays
Shuster
Stearns
Stump
Taylor (MS)
Thomas (WY)
Upton
Valentine
Walker
Zeliff
Zimmer

NOT VOTING—6

Abercrombie
Rose
Shaw
Traficant
Williams
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 pro tempore. 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.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 421, noes 6, not voting 6, as follows:

[Roll No. 444]

AYES—421

Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
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
Bilirakis
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)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gekas
Gephardt
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
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoekstra
Hoke
Holden
Horn
Houghton
Hoyer
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
Levy
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
McCollum
McCrery
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)
Neal (NC)
Nussle
Oberstar
Obey
Olver
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
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
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
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
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Washington
Waters
Waxman
Weldon
Wheat
Whitten
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—6

Geren
Hefley
Huffington
McCurdy
Valentine
Watt

NOT VOTING—6

Abercrombie
Rose
Shaw
Traficant
Williams
Wilson

□ 1829

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.

□ 1830

WALTER B. JONES CENTER FOR THE SOUNDS

The SPEAKER pro tempore (Mr. FIELDS of Louisiana). The pending business is the question of suspending the rules and passing the bill, H.R. 2961.

The Clerk read the title of the bill.

The SPEAKER pro tempore. 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.

RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demanded a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote and will be followed by three other 5-minute votes.

The vote was taken by electronic device, and there were—ayes 425, noes 0, not voting 8, as follows:

[Roll No. 445]

AYES—425

Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Archer
Armey
Bacchus (FL)
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
Bilirakis
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)
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
Herger
Hilliard
Hinchey
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
Levy
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
McCollum
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)
Neal (NC)
Nussle
Oberstar
Obey
Olver
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
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
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
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
Wheat
Whitten
Wise
Wolf
Woolsey
Wyden
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
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
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
Gejdenson
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
Inslee
Istook
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kleczka
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
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
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Olver
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
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Tauzin
Tejeda
Thomas (CA)
Thompson
Thornton
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
Armey
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
Ramstad
Roemer
Rohrabacher
Roth
Royce
Sensenbrenner
Smith (MI)
Stearns
Stump
Talent
Tanner
Taylor (MS)
Taylor (NC)
Thomas (WY)
Thurman
Valentine
Walker
Young (FL)
Zeliff
Zimmer

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 gentlewoman 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 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 CYCL'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 additional 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 resident. 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 obligation 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 to 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 underreported 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.

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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 lesson 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 theses folks. Then and only then, once we get them off the streets, can we being 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. LAROCCO, 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. LAROCCO.
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 Coranado 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 Wholes 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 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 (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. INHOFE, 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. VISCLOSKY 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. MCCRERY 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. MCCRERY.

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. FALEOMAVAEGA, 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. BEILENSON.

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. LAROCCO, 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. LAROCCO, 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. LAROCCO.

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.

SENATE—*Tuesday, September 21, 1993*

(Legislative day of Tuesday, September 7, 1993)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the Honorable BEN NIGHTHORSE CAMPBELL, a Senator from the State of Colorado.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

** * * For there is no power but of God: the powers that be are ordained of God.*—Romans 13:1.

Eternal God, Lord of Heaven and Earth, we thank Thee for the giants who serve in the U.S. Senate today. Only the perspective of history will reveal who are the Washingtons, the Jeffersons, the Adamses, the Monroes, the Websters, and the Franklins. We are grateful for the commitment of these statesmen to the Senate, the Nation, and the world. We thank You for the privilege of serving in their midst and their greatness, manifest even before the judgment of history. May Thy blessing be upon them, their loved ones, and staffs. And may they be guided in their use of power—to the glory of God and the blessing of the people.

In Jesus' name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 21, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN NIGHTHORSE CAMPBELL, a Senator from the State of Colorado, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. CAMPBELL thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of morning business not to extend beyond the hour of 11:30 a.m. with Senators permitted to speak therein for not to exceed 5 minutes each.

The first hour of morning business shall be under the control of the Senator from New Jersey [Mr. BRADLEY] and the Senator from Rhode Island [Mr. CHAFEE] or their designees.

The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I ask unanimous consent to speak for up to 8 minutes on behalf of the North American Free-Trade Agreement.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NAFTA

Mr. BINGAMAN. Mr. President, I announced yesterday my support for the North American Free-Trade Agreement, and I wish to take just a few minutes of the Senate's time this morning to reiterate a couple of points that I made yesterday. I believe the debate about NAFTA needs to take place in the context of world trade today.

There is tremendous frustration throughout the country, and rightfully so, about the adverse trade relationship we find ourselves in. We have a trade deficit this year which is expected to reach $110 to $115 billion. That is $115 billion more in goods and services that we are purchasing from the rest of the world than we are able to sell. Clearly this is not a healthy situation for our own economy. It does result in the loss of jobs. That persistent and chronic trade deficit has continued for at least the last decade. It really began in the early eighties, the very end of the seventies, and it has worsened. Although there have been some ups and downs, it has generally been a major, major problem for us for the last decade.

So that is part of the context and that is an understandable cause for concern about any new free-trade agreement or any new proposal to increase access to U.S. markets.

Another part of the context that we need to look at is the present trade relations we have with Mexico. Many people are not familiar with the way the maquiladora program works. Let me describe that very briefly, Mr. President, because I think it is very important to understand that program when you consider the impact of this proposed trade agreement. The maquiladora program is a program we have had in place now for well over a decade which provides that United States firms can establish themselves in Mexico, establish plants in Mexico, hire Mexican workers, bring materials and components in from the United States duty free into Mexico, assemble them into finished products, and then ship those finished products into the United States also duty free.

The value of the work going into those, the increase in value in those products is not assessed a tariff when those products come into the U.S. markets.

So that is the arrangement we have today. There is clearly an incentive in the present law for United States companies to construct plants in Mexico and to ship goods back into the United States. That has been happening at a very rapid rate for over a decade. It is another cause of the concern that people have about increased trade with Mexico because they see that increased trade as an expansion of that maquiladora program.

But then we need to look at what is actually proposed in this agreement. What this agreement proposes to do, at least as I see it, is to even up that set of incentives. Under the new agreement not only would there be incentive for United States firms to go ahead and establish plants and produce products in Mexico, which clearly would continue, but there would also be an incentive for sales into Mexico because we would see the tariff that Mexico imposes upon United States products drop to zero over the next several years.

That is a dramatic benefit to the United States which we have not enjoyed. Quite frankly, if we could rewrite history, it would have made a great deal of sense for us to insist upon a lowering of those tariffs as a part of the bargain for entering into the maquiladora program that we have had now for some time.

But that was not done. I think that error is being corrected in this free-trade agreement.

In this free-trade agreement, the opportunity for sales into Mexico will increase very significantly. Clearly, I do not think anybody believes that the last United States plant in Mexico has been established, but I would suggest that the rush to establish production in Mexico will slow because of this free-trade agreement if it is adopted. So that is part of the context that we also need to look at.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

The NAFTA agreement, in my view, will help this country help us to compete in the world market which is the larger competition that we face. Our extremely large trade deficit today is not as a result of our trade with Mexico. It is not as a result of our trade with Canada or any other Western Hemisphere country. It is a result primarily of our trade with Asia, and we need a strategy. We desperately need a strategy as a nation to deal with that imbalance in our trade with Asia.

We have a chronic trade deficit with Japan of $50 billion. I think it was $49 billion last year. We had last year an $18 billion trade deficit with China which is expected to grow to $25 billion this year, and I would point out that China has just begun to trade. China has an enormous economy, enormous human resources, and they have just begun to gear up to export to the rest of the world. The rest of the world primarily means the U.S. market because the U.S. market is under present circumstances the only large market that is free and open to them. The European market is not as open. Japan itself is not as open. And our trade deficit with China is growing enormously.

I understand the frustration that surrounds that. I share that frustration. I think we need a strategy to deal with that larger trade deficit issue.

But it would be a mistake, in my view, to reject NAFTA because of our concern about the larger trade imbalance. NAFTA can be a tool for us to correct that larger trade imbalance.

United States firms working with Mexico can produce products for sale in the world market. We can produce high quality products. We can produce products at low enough cost that they can compete in the world markets.

So I think the opportunity improves for us to sell overseas, the opportunity improves for us to sell in Mexico under this agreement, and I do think it makes good sense for us to do so.

The final point I would make, Mr. President, is that we have a common destiny with our neighbors—our neighbors being Canada and Mexico. My home State was part of Mexico for more than 20 years, 25 years, back in the early 1800's.

We have a long tradition of trade with Mexico. There were wagon trains coming from Mexico City to Chihuahua to Santa Fe and House long before we had wagon trains coming from the east coast in the United States to Santa Fe and House.

So we have a tradition with Mexico. It has served us well. We need to build on that. We need to encourage that.

This free-trade agreement will help us to strengthen the cooperation and communication we have with our neighbors to the south. It can be a good thing economically for the United States and a good thing economically for Mexico.

I think it would be a mistake for this Congress to reject the free-trade agreement at this point. I hope that my colleagues will, after studying the issue, determine that this is something that the country should go forward with. I do believe that it will be a lost opportunity if we fail to ratify this treaty.

So I appreciate the chance to speak again today. I know there are quite a few others who have reserved time to speak, and for that reason I will yield the floor, Mr. President.

Mr. BRADLEY addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey [Mr. BRADLEY].

THE NORTH AMERICAN FREE-TRADE AGREEMENT

Mr. BRADLEY. Mr. President, I thank the distinguished Senator from New Mexico for his comments this morning and for his speech yesterday in support of the North American Free-Trade Agreement.

Today there will be a number of Senators, in the next hour, who will come to the floor to express their support for the North American Free-Trade Agreement. They will be both Democratic and Republican Senators and they will demonstrate support across the regions of this country.

The Senator from New Mexico is from the West. The distinguished Senator from Tennessee [Mr. MATHEWS] is here to speak. He is from the border States. The distinguished Senator from Rhode Island [Mr. CHAFEE] is here. He is obviously from the East, as I am.

The NAFTA has very strong bipartisan support across regions in this country, and I think for good reason. I believe it is in the U.S. national interest. I believe that was symbolized just last week when you had four Presidents—two Republicans, two Democrats—at the White House strongly endorsing the agreement. The two other living Presidents strongly endorse the agreement.

They clearly see the importance of this agreement to the national interest of America, the national interest that they, at different times in their own careers, were called upon to defend and to further. They recognize, as former Presidents, that it is not always easy to see the whole, to see the general interests. They clearly were under, in their careers, pressures from the narrower interests.

But I think it is very significant that all living Presidents, both Republican and Democratic, endorse the North American Free-Trade Agreement. It sends a very powerful signal of support for this agreement that it is in the national interest.

There are good reasons, I believe, why it is in the national interest. They are economic, they are political, and they are social.

The economic reasons are very simple. It means jobs in the United States. It means a more competitive America in world commerce. It means more economic growth for the long term.

In terms of jobs, what is happening with this agreement is that the barriers that have existed to American exports into Mexico are now being dismantled. Until a few years ago, about 1986–87, Mexico existed as a closed economy. It had high tariffs. It had highly subsidized industries. It imported very little from anywhere in the world. It believed that anything that was consumed in Mexico should be produced in Mexico, regardless of the cost to the Mexican consumer.

That changed in the mid-1980's with President de la Madrid and more profoundly with President Carlos Salinas. They dramatically reduced their tariffs from something close to 80 down to 20, and now it is down to 10 percent. The result was clear. Our exports to Mexico increased from $12 to $40 billion and that meant more jobs in the United States—from $12 to $40 billion in exports.

On the other hand, on our side of the border, we have only a 4-percent tariff on goods coming in from Mexico. The North American Free-Trade Agreement eliminates those tariffs. Our tariff is not even half of what Mexico's tariff is.

So by eliminating the Mexican tariff, we are eliminating the 10-percent tax on American goods exported to Mexico. And by eliminating the 4-percent tariff, we are eliminating a 4-percent tax on Mexican goods exported to the United States.

But the agreement goes far beyond simply the tariff question. It goes to the nontariff barriers.

For example, before this agreement, a car manufactured and assembled in the United States could not be exported to Mexico. Any car sold in Mexico had to be produced in Mexico. With this agreement, we will be able to assemble vehicles and export them to Mexico.

It is estimated that, in the first year alone, we will go to 60,000 autos. And, in a country that now has a market of 750,000 autos and a population of 85 million people, it will be a dramatically expanded market for the sale of U.S. vehicle exports. That is just one example.

In terms of grains, in terms of agriculture, it represents a dramatically large market. In terms of consumer goods, it is an 85-million-person market that is oriented toward the United States in terms of consumption patterns anyway. Seven out of every $10 that Mexicans import, they import from the United States. It is a big market, not only in terms of size, but the Mexicans, on a per capita basis, consume more than do Europeans or Japanese of American goods. And that will only increase. It is a tremendous consumer market.

In addition to that, it is a very large market for U.S. capital goods. With an

economy developed behind protective barriers, they did not always have the best equipment, they did not always have modernized equipment. Everything from power generators to refrigerators, the market is now open for U.S. goods. And there will be a tremendous pent-up demand.

The President, in his remarks just last week, estimated that NAFTA would create 200,000 new jobs in the United States, net, over the next 2 years. Name 1 other single act that would produce 200,000 jobs in America in the next 2 years.

Passing NAFTA will generate those jobs. There will clearly be some jobs that are lost from this agreement. Many of them are lower wage jobs. The point to be made here is those jobs would be lost anyway. Many of them have been lost over a decade and they have gone to Asia. With this agreement, if they are lost and go to Mexico, the workers who are employed in those companies will still be purchasing $7 out of $10 of their imports from the United States, thereby generating jobs in the United States.

But clearly those workers who are dislocated need to have what I call an economic security platform, which is a guarantee of health insurance, of pension security, and of lifetime education opportunities. But there is no question—and the Congressional Budget Office, I think, settled this debate when it concluded, after evaluating all of the various studies of the effect of NAFTA on job creation—that it would be a net job creator. It will be a net job creator in the short term and in the long term.

The second point on the economy is that NAFTA, in terms of the total amount of net job creation—or from the opponents' side, net job loss—is really a small part of our overall trade and a small part of our overall employment. For example, it is estimated that 1 percent of the job loss every year will be due to NAFTA; only 1 percent every year.

To what is the rest of the job loss due? Defense conversion, downsizing of the defense establishment, and from other international competition. It is indeed on that point that NAFTA is, I believe, in the strongest interests of the United States. With the North American Free-Trade Agreement, America will be more competitive against the real threat to American jobs that are represented by the economies of Europe, China, and Japan.

We now have a $5.4 billion trade surplus with Mexico. That is likely to dramatically increase in the years ahead. We now have a $75 billion trade deficit with Asia. That will increase unless we are more competitive. The North American Free-Trade Agreement—the integration of Canada, the United States, and Mexico—will allow us to be more competitive. We will be better able to deal with those challenges as one economic unit, continentalwise, than we would if we were simply a single country.

So in terms of jobs, it is very clear that the North American Free-Trade Agreement is a positive. In terms of our ability to compete against the real threats to American jobs represented in Japan and China and Europe, we will be better able to compete with the North American Free-Trade Agreement. That is why I think it is clearly in our economic interest.

I know there are other Senators on the floor, and therefore I will make two other points briefly. It is in our political interest because it consolidates the developments that have taken place in Mexico over the last several years: Developments toward more democracy, developments toward a cleaner environment, developments toward a dramatic attack on corruption, and developments toward a clearer integration of the United States and Mexico in the fullest sense.

This should be important to us because we have a 2,000-mile border with Mexico. We already have a sizable illegal immigration problem coming from Mexico. And there are real questions about how we can deal with that problem. I would argue that in Mexico, where half the population is under the age of 19, if we do not have NAFTA and jobs are not created in Mexico, there is only one place that those young people are headed, and that is north. When they come across that Rio Grande, and when they come up into Kansas City or Chicago, or even as far as New Jersey or New York, as well as Texas and California and Colorado cities, they will be displacing the lowest paid American citizens, those who are working at minimum wage. Why? Because they will work for below minimum wage. Illegal immigrants work below minimum wage. They work illegally. They are in constant fear. The result is that they displace American workers.

So if we want to avoid that wave of illegal immigration, then pass the North American Free-Trade Agreement; jobs are created in Mexico; Mexicans are staying at home with their families, where any reasonable person would prefer to be if there was work, as opposed to coming illegally into the United States, displacing low-income workers, and burdening our social service system. That is, in my view, a second powerful reason for the passage of the North American Free-Trade Agreement.

There are any number of other arguments, and I could go on at some great length. I have taken only 10 minutes this morning. I know this debate will be fully joined in the weeks ahead. I am very pleased so many Senators have come to the floor today, and I understand the majority leader, Senator MITCHELL, today will be strongly endorsing the North American Free-Trade Agreement. I think that is a very significant development.

I simply, again, want to call attention to the fact that the group on the floor today is bipartisan and across region in this country. Like the Presidents who were at the White House last week endorsing it, we believe firmly this agreement is in our national interest.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island [Mr. CHAFEE] is recognized.

Mr. CHAFEE. Mr. President, I wonder if the Chair would be good enough to notify me at the end of 10 minutes.

I want to congratulate the Senator from New Jersey for arranging this special hour this morning in which various Senators from different parties and from different sections of the country will be speaking. Each of us will be dealing with a different topic.

The topic I am going to be dealing with in connection with the NAFTA agreement is the environment. But before getting into the environment, I want to say overall that I support the agreement strongly. It is good for the United States of America. It is good for the State of Rhode Island, which I represent.

In the State of Rhode Island, we now have increased our shipments to Mexico over the past 6 years by 65 percent. We have over 1,000 employees in our State whose jobs are directly dependent upon trade with Mexico.

You might say, only 1,000 employees in 1 State? Let me tell you, if somebody announced they were going to bring a company into our State with 1,000 employees, the Governor would be out there offering them special tax advantages. The mayor would be out there to welcome them. There would be a marvelous ceremony. A thousand people in our State is a lot of people. And we have over 1,000 people—1,033 is the best we can compute it—whose jobs are directly dependent upon trade with Mexico. If you apply the normal quotient, for every individual directly employed in a job, there are two others whose livelihood are dependent on it. That boosts the total to over 3,000, which is a lot for our little State.

Now, I would like to briefly address the environmental parts of the NAFTA agreement.

From the outset, the environment has been a key part of the negotiations. First of all, the Environmental Protection Agency—think of it, an outfit that has never previously been involved in international trade agreements—played a role in each step along the way. They released an environmental review; they formulated a border plan with Mexico; they sat at the negotiating table.

Second, major environmental organizations served as a Senior Trade Policy Advisory Committee. Ambassador Carla Hills, right from the beginning,

brought in the environmental organizations and said, "We want you to sit at the table; we want you to hear; we want your advice."

Third, and perhaps the most impressive sign, a new position was created at the U.S. Trade Representative's office. Mind you, that is a lean office. They do not have many people there. But they created an additional post, Deputy Assistant USTR for Environmental Affairs.

So it is not surprising that the NAFTA agreement contains unprecedented provisions on the environment. Let us tick some of them off:

Article 754 and 755: In sharp contrast to other trade agreements, including GATT, which all us believe in, these two articles, explicitly provide that each nation may establish measures to protect human, animal, and plant life or health at levels higher than international standards.

One of the complaints frequently is: "Oh, in California, we will not be able to ban a certain type of pesticide and require that all fruits and vegetables not be permitted to be used if this pesticide has been applied. This will be a higher standard than presently exists. We will not be able to do it."

Nonsense. Specifically, Articles 754 and 755 provide that a State or a nation can have protection for human, animal, plant life, or health that is higher than the international standards.

Articles 765 and 2005. These provisions ensure that in any challenge to these standards under NAFTA, the burden of proof lies not with the nation under challenge, but with the challenger. This is a dramatic provision. Moreover, should an environmental dispute fall within the jurisdiction of both the NAFTA and the GATT, the challenged nation may insist on the more environment-friendly NAFTA forum.

Article 1114. This important provision makes it clear that encouraging investment by lowering domestic health, safety, or environmental standards is inappropriate.

All of these provisions are remarkable steps. But attention now has turned to whether or not there exists the commitment to environmental protection that will ensure enforcement of these rules.

A nation's commitment to environmental protection is both complicated by, and enhanced by, economic growth. Often, commitment to environmental protection is severely tested by the demands of a nation's economic growth. Yet economic growth provides the resources with which a nation may promote environmental protection.

Too often we are presented with the assumption that economic growth and environmental protection are natural enemies. Yet that theory has been rejected by both trade specialists and many sophisticated environmentalists. As Jay Hair, president of the National Wildlife Federation, wrote in his 1991 editorial "Natural Can Live With Free Trade," "that presumption—that environmentalism and economics don't mix—has been punctured."

Today, environmentalists and economists can be partners, not adversaries. The best way for a nation to handle environmental challenges is for it to become wealthier, and thus better positioned to attack environmental problems. Don't expect Bangladesh to have a good environment—they are hanging on by their fingernails, trying to survive. That there is a direct relationship between increased national income and decreased levels of pollution has been proven by World Bank economists. Moreover, a prosperous nation finds greater popular support for environmental measures: generally, as the prosperity of the citizenry rises, so does interest in a cleaner environment.

By any standard, Mexico has made phenomenal strides regarding the environment. In Mexico City, $4.6 billion has been dedicated to environmental initiatives, including a 1-day-per-week ban on driving; the introduction of unleaded and oxygenated gasolines; mandatory semiannual vehicle emissions tests—I have seen these tests, and they are far tougher than in the United States, including Los Angeles—the closing of heavy industrial polluters at great cost to jobs; and the planting of pine and cedar trees for increased oxygen. At the border, $460 million has been committed to border cleanup projects. Mexico is working with the United States on enforcement: Recently, a joint United States-Mexican enforcement effort resulted in the payment of $2 million by a United States company to clean up a toxic waste dump in Mexico.

Mexico also has taken numerous steps with regard to species conservation. My colleagues may be interested to know of a recent event: In June, at a ceremony attended by Interior Secretary Babbitt, President Salinas announced the creation of the Sonora Biosphere Reserve, which will provide protection for the endangered vaquita dolphin.

These and the many other steps taken by the 5-year-old Salinas government reflect an environmental commitment that is steadfast and growing stronger.

There are NAFTA critics who dismiss President Salinas' initiatives as window dressing. But to thoughtful observers, this criticism rings hollow. Today, Mexico's environmental investment totals nearly 1 percent of its GDP—hardly a faltering commitment. Moreover, President Salinas has received international environmental awards: the 1991 Earth Prize and the 1992 World Conservation Leadership Award. Perhaps most importantly, this criticism seems to ignore Mexico's growing domestic interest in the environment: The Mexican "Green" party won an unprecedented 5 percent of Mexico City's popular vote in the last elections.

Last Wednesday, a dedicated group of environmentalists representing some 7.5 million Americans came out in strong support of the NAFTA agreement. Senator BAUCUS, one of the leading environmentalists in the whole Congress, came out strongly for it, and accompanying Senator BAUCUS at that event to endorse NAFTA were Peter Berle, president of the National Audubon Society; Kathryn Fuller, head of the World Wildlife Fund; Jay Hair, from the National Wildlife Federation; Russell Millermeier, Conservation International; Fred Krupp, from the Environmental Defense Fund; and John Adams, from the Natural Resources Defense Fund. These are well-respected, major environmental organizations in the United States, and they came out strongly for NAFTA.

In conclusion, Mr. President, NAFTA is good for the environment. It is good for the environment of the United States and it is good for the environment of Mexico. I do hope it will be overwhelmingly approved not just by the U.S. Senate but in the House of Representatives likewise.

I want to thank the Chair.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MATHEWS addressed the Chair.

The ACTING PRESIDENT pro tempore. Senator MATHEWS is recognized.

SUPPORT FOR NAFTA

Mr. MATHEWS. Mr. President, I want to thank my colleagues for permitting me to be a part of this program this morning and to express my support for NAFTA. I want to spend just a few moments giving a salute to the American worker and to American industry for placing us in a position to be able to favorably compete rather than feeling a need to retreat.

Mr. President, a few days ago, President Clinton presided at the signing of a monumental peace accord, and—joined by three former Presidents—he reaffirmed his pledge to another agreement of sweeping change—the North American Free-Trade Agreement. On that occasion, I thought of John Kennedy standing before the Berlin Wall and declaring 30 years ago that no border could forever hold back the human heart seeking a better life. Today, Mr. President, NAFTA is this decade's reaffirmation that borders dividing nations must never divide their peoples from opportunity. And I am saddened to hear Members of John Kennedy's party and the heirs of his heritage saying that is precisely what borders should do.

It is not merely that the bunker-builders who oppose NAFTA are demanding something that should not be

done. They are demanding something that simply cannot be done. If we have learned anything over the past 30 years, it is that borders between nation's cannot be made impermeable to trade. For with or without NAFTA, hemispheric trade is the dominant fact of the world's future. That fact is apparent.

In November, the Asia Pacific Economic Cooperation meets in Seattle. When APEC's 15 member nations gather, they will bring almost half of the world trade volume into one room. Across the Atlantic, Europe is uniting more than 340 million producers and consumers. Central and South America are rushing onto the stage. A few year ago, the U.S. stock market represented 70 percent of the world's equity capital. Today, it is 40 percent. That is the world we live in, and it is the world we have to compete in.

Mr. President, NAFTA brings us face to face with a decision. That decision is whether the United States turns her economic vision productively and convincingly outward, or whether we try to bury our hear in the drifting sand of economic change. I have noticed that when an ostrich stuffs its head in the sand, its rump is standing in the air. That is just about as vulnerable a posture as I can imagine. Yet that is exactly the economic posture the opponents of NAFTA are eager to have us support.

President Clinton spoke eloquently and accurately when he framed the core issue about this agreement. He said the issue is whether the United States will face the future with confidence that we can create tomorrow's jobs or whether we will try against all the evidence to hold on to yesterday's economy. He asked how the United States can stake out high ground with GATT and future trade talks if we defeat this agreement. He challenged us to prove we are capable of understanding and acting in our own economic interest. By comparison, the arguments against NAFTA are a serenade of one-string banjoes. And frankly the tune is becoming tiresome.

We are told that Mexico—an economy one-twentieth our size—will swamp the U.S. market with cheap imports. The eventual fact is more likely to be the reverse. Mexican goods already enter our economy with an average tariff of 1.9 percent, and on many the tariff is nil. By contrast, Mexican tariffs average 10 percent, and on some goods it is much higher. Under NAFTA, those tariffs fall even further than they have through the enlightened reforms of President Salinas. We have seen the result, and it has been good for America: Since the mid-1980's, United States exports to Mexico soared from $12 billion to more than $40 billion, and a $5 billion trade deficit became a $5 billion trade surplus. Despite their lower wages, the typical Mexican consumer buys more U.S. goods than his wealthier Asian and European counterparts. There is also the fact that NAFTA protends a stronger Mexican economy, and that is beneficial to the United States in ways that are too sensible to ignore. The trend is clear. NAFTA advances it. Americans benefit from it.

We are told that NAFTA is an excuse to export jobs. There are so many considerations with that, that it is difficult to know which ones really apply. We probably should start by realizing that our economy does not need an excuse to export lesser-skilled jobs. After all, we lost 2.6 million of them to low-wage countries in the 1980's. If that trend is going to continue, defeating NAFTA will not stop it. The question seems to be whether passing NAFTA will accelerate it. I believe that American industry's intentions to move to Mexico and its reasons to do so are not evident.

For one thing, labor costs are a small percentage of many products and therefore a small incentive to savings. For another thing, Mexican wages are sure to increase, thereby diminishing any wage incentive over time. But as any business and finance practitioner will tell you, the issue underlying wages is worker productivity, and the increase in productivity of American workers is a strong incentive for keeping jobs here.

On top of all this, American industry's cost curve also is set by the costs of transportation, outlays in plant and equipment, the useful life of existing assets in this country, and a host of other matters. Expatriation increases those explicit and implicit costs. If wage rates were the end-all and be-all of production decisions, we would, indeed, be worried about the economic threat of Bangladesh and Haiti, as the Washington Post pointed out.

What I have heard of this debate so far, Mr. President, prompts me to offer a straight-from-the-shoulder word to those who seek to defeat NAFTA. And what I have to say is that their arguments against NAFTA speak ill of them. For what those arguments amount to is a declaration that American labor has priced itself out of world competitiveness. More than that, they amount to a statement that American consumers, exporters, and manufacturers should sacrifice their opportunity for greater consumption, revenues, and production to keep it that way.

No one respects the American working man and woman more than I do, and that is why I find this implicit argument so unworthy. The fact is that our toughest economic adversaries are nations with higher or faster increasing labor costs. The American worker is productive, skilled, intelligent, and determined. The great promise of American labor lies in becoming even more so. It does not lie in raising the decibels of the debate. We need to remember that NAFTA will provide U.S. industry and workers an edge on our foreign competitors like Germany and Japan.

It matters to Germans if they create gains in Germany and to the Japanese if they create jobs in Japan. Gratifyingly, that same attitude is growing today in American industry, including industries that supposedly have the most to gain by leaving the United States. I remind my friends in business and industry that it stands in America's interest and their interest to keep that momentum going.

The Saturn plant in Tennessee is a great example of how labor and management can do right by each other as colleagues in common purpose. Every worker displaced from Detroit by construction of the Saturn plant was promised a job when the plant was finished. Thousands of workers took GM up on its promise, and now they are proud workers and providers for their families. Saturn is more than one of the finest facilities in the world producing one of the world's finest automobiles. It is a blueprint of the future, a roadmap for the way things should be.

At bottom, Mr. President, with our vote on NAFTA we will indicate whether the United States intends to lead, follow, or erect our own version of a Berlin wall. I say we lead—that we join the rank of nations heeding their future and not their fears, nations intent on becoming more prosperous and secure by becoming more productive and more competitive. That is the course NAFTA offers, and that is the course we must choose.

Mr. President, I ask unanimous consent that following my statement there be printed a list of some 15 companies that have a Tennessee presence or Tennessee headquarters that have contacted me and strongly urged I support the NAFTA agreement and that I made public my position on it.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF TENNESSEE COMPANIES

1. Tennessee Farm Bureau Association, Columbia, TN, Joe Hawkins, President.
2. Waste Reduction Technologies, Nashville, TN, Alan Phillips, Vice-President.
3. Mayfield Dairy Farms, Athens, TN, Scottie Mayfield, Vice-President.
4. Sparks Companies, Inc., Memphis, TN, Robert F. Hine, Vice-President & Principal.
5. Parris Manufacturing Co., Savannah, TN, Craig A. Phillips, President.
6. A.J. Metler Hauling and Rigging, Inc., Knoxville, TN, A.A. Metler.
7. Caterpillar Financial Services Corporation, Nashville, TN, James S. Beard.
8. Bechtel Oak Ridge Corporate Center, Oak Ridge, TN, Joseph F. Nemec.
9. Whirlpool Corporation, La Vergne, TN, Paul D. Hutchins, VP.
10. JC Penney, Knoxville, TN, Bob Mantel, Store Manager.
11. Square D Company Electrical Equipment, Smyrna, TN, Gary R. Abrams, Facility Manager.

12. Chubb LifeAmerica, Chattanooga, TN, Elaine M. Duncan.
13. Procter & Gamble, Jackson, TN.
14. Brown-Forman Corporation, W.L. Lyons Brown, Jr., Jack Daniel's Distillery, Lynchburg.
15. Tennessee Eastman Co., Kingsport, TN.

Mr. MATHEWS. With that, Mr. President, I yield the floor.

Mr. DANFORTH addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Missouri [Mr. DANFORTH] is recognized.

OUTRAGEOUS CLAIMS BY PEROT

Mr. DANFORTH. Mr. President, Mr. Ross Perot claims that NAFTA will put 5.9 million jobs in the United States at risk. That is a very scary statement. Frightening people, scaring people is not something that is new in politics. A lot of people have gained great political popularity by trying to frighten people. But the claim that 5.9 million jobs will be at risk is so outrageous that it deserves an answer. The fact is that today one out of every six manufacturing jobs in the United States depends on exports. One out of every three acres planted by the American farmer is designed for export.

Exports create jobs in the United States. According to the Commerce Department, every billion dollars of exports creates 20,000 jobs. Since 1986, the Government of Mexico under President Salinas has on its own undertaken a reduction in trade barriers. Still, the trade barriers in Mexico are much greater than trade barriers erected by the United States. But even with the partial liberalization of the Mexican market under President Salinas, United States exports to Mexico since 1986 have increased from $12 billion a year to over $40 billion a year. Mexico is now the third largest export market for the United States, and the Mexican consumer, who is belittled by Mr. Perot, buys much more per capita of American goods and services than the average consumer in, say, Japan.

Regardless of the good record since 1986, major trade barriers continue to exist in Mexico. NAFTA deals with those trade barriers. Today, Mexican tariffs are 2½ times the tariffs of the United States, on average. Well, that differential will be phased out, those tariffs in Mexico will be phased out, under NAFTA. Right now, the American farmer suffers because 25 percent of American agricultural exports to Mexico must enter that market under import licenses awarded by the Mexican Government. Those import licenses would immediately be terminated under NAFTA. Right now, domestic content rules in Mexico and restrictions on importing automobiles imposed by the Mexican Government have greatly disadvantaged United States automakers and, in fact, only 1,000 American cars a year are now exported into Mexico.

Right now, the maquiladora program amounts to a massive free-trade zone and export promotion program directed right to the United States, right on our own border. That unfair maquiladora program would be phased out under NAFTA.

I understand Mr. Perot's desire to appeal to fear, because appealing to fear works politically. And I can understand why some people want to be scared. Change is scary. Competition is scary. It is much more comforting to run to Washington and ask that Government provide special protection. But it also is the road to decline, as far as our country is concerned.

I want to briefly touch on a variety of statements that Mr. Perot makes in his book that are just false.

First, Mr. Perot quotes former Secretary of Labor Lynn Martin as saying that NAFTA will cost 150,000 American jobs. False, Lynn Martin said that NAFTA will create a net increase of 175,000 American jobs.

Mr. Perot claims that the U.S. automobile industry is on the endangered list under NAFTA. False. The Congressional Budget Office has found that United States auto companies would gain from dismantling Mexican trade barriers. The administration believes that instead of 1,000 exports of cars a year into Mexico, that number in the first year of NAFTA would rise to 60,000 cars.

Mr. Perot claims that NAFTA is a bad deal for American agriculture. False, because it eliminates the import licenses now imposed by Mexico. And for that reason a variety of farm organizations—the American Farm Bureau, the National Corn Growers Association, the American Soybean Association, the National Pork Producers Council, the National Cattlemen's Association, and the Rice Millers' Association—all of these farm organizations support NAFTA.

Mr. Perot suggests that the problems associated with the maquiladora program would be extended throughout the country of Mexico. False. The maquiladora program would be phased out under NAFTA.

Mr. Perot claims that NAFTA jeopardizes the safety of American highways by permitting unsafe trucks and drivers from Mexico to drive in the United States. False. America's safety standards would be maintained under NAFTA.

Mr. Perot claims that NAFTA would lower U.S. health and environmental standards. False. It will not do so.

Well, Mr. Perot has been invited to appear before the Senate Finance Committee, and I hope he comes. I would like to look under the hood and find out what his arguments are all about. But I think he is trying to frighten people, and I think this is still the home of the brave, and I believe Americans are in business to compete. We can compete in international markets and win, provided that we have a fair opportunity to compete. Right now, with Mexican tariffs 2½ times ours, we do not have a fair opportunity to compete. NAFTA will change those rules, and it will change those rules in our favor.

Mr. PACKWOOD addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Oregon [Mr. PACKWOOD], is recognized.

NAFTA

Mr. PACKWOOD. Mr. President, the NAFTA debate up until last week has been dominated by the opponents who have relied upon misinformation and paranoia.

Last week, the President gave a truly stirring address. I was intrigued that he was joined by three past Presidents. Although President Nixon was not there, he does support NAFTA. I was intrigued with the sequence. President Ford was there endorsing NAFTA. He had been defeated of course by President Carter. President Carter was there and he, of course, had been defeated by the Reagan-Bush ticket. President Bush was there, and he had been defeated by President Clinton.

Campaigns do not necessarily do a lot to engender warmth and love, but here we had past Presidents who had been defeated by subsequent Presidents, all joining together to endorse the North American Free-Trade Agreement. Presidents from different parts of the country, George Bush with his familiar early roots in New England; Gerald Ford, Michigan; Jimmy Carter, Georgia; and Bill Clinton, of course, Arkansas.

Those who had been attacking NAFTA have done a great disservice to all Americans who are legitimately concerned about this issue. The debate should focus on facts not fears.

What I would like to focus on this morning, Mr. President, is the claims of NAFTA opponents that the NAFTA agreement will result in job losses and a flood of imports from Mexico into the United States. NAFTA opponents are seriously underestimating our capacity for productivity, and our present ability to compete internationally.

Opponents claim that United States workers cannot compete with low-wage countries like Mexico, and if NAFTA is implemented United States, factories will close and the jobs by the scores of thousands and millions will move to Mexico. My answer to this is, Mr. President, if this is true, why does not it happen now? Mexico's wages have always been lower than ours and our market is already open to Mexico's goods. Any company that wanted to go to Mexico would have gone years ago.

For all practical purposes, we have a one-way free trade agreement with Mexico now, and it is one way with

Mexican goods coming in. If this is a level playing field, our barriers are low and Mexico's are much higher. We are trying to get them down to a level playing field. But this is a benefit to us, much more than it is to Mexico.

What NAFTA critics have failed to understand is that wages are not the principal reason companies decide to locate overseas. If that were true, most of the developing countries would be manufacturing superpowers, businesses would be fleeing in droves, to Bangladesh, Haiti, Pakistan, and other very low-wage countries. They are not. Rather, there are other factors that weigh equally if not more importantly. These include: American productivity. American workers are far more productive than those of Mexico, or most other industrialized countries, and our productivity continues to rise faster than our trading partners.

Last year, alone, Mr. President, the hourly output of U.S. workers rose 4.6 percent. It has far exceeded the increases in productivity of Germany of 0.6 percent, France of 2.9 percent, Canada, 4.2 percent, and Japan, which went backward and decreased 6.2.

Second, infrastructure. The United States has a tremendous infrastructure of transportation and communications systems that are the rival of the world. And they are clearly far more developed than they are in Mexico, or are likely to be in Mexico for decades to come.

Third is location to market. Most companies like to be close to the principal market they are going to serve. In the North American free trade union, clearly the U.S. market is going to be the biggest market, and companies will locate here.

To demonstrate these points, let us consider the cost of assembling an automobile in Mexico and in the United States. A recent Office of Technology study determined that it was actually cheaper to build a car in the United States—$8,770—than in Mexico, where it was $9,180, even though labor costs in the United States were eight times higher than in Mexico. Why is this? One, the shipping costs from Mexico to the United States are high; two, the United States-made car could be built faster in a more advanced factory; three, United States workers are more skilled. Overall, and most important, the study found that labor costs were a small portion of the car's total cost. Mexico's labor is 2 percent of the cost, and in the United States, it is 8 percent of the cost. To put it another way, Mr. President, in the United States, 92 percent of the cost of building the car is something other than labor. In Mexico, it is 98 percent. So a very few companies are going to move to Mexico for that narrow difference in total labor costs.

I recently surveyed several Oregon companies about the argument that United States companies would move to Mexico because of labor costs. And what I found is that NAFTA will entice companies to stay put in the United States and actually increase their employment. Here is an example: Freightliner is a manufacturer of large over-the-road trucks, the kind that you see hauling goods all over the country. In fact, they have now become the biggest manufacturer of large trucks in the United States. They have two big plants, one in Portland and one in one of the Carolinas.

In the past, in order to serve the Mexican market, they have shipped their trucks to Mexico in kit form, and then assembled them in Mexico and sold them in Mexico. They had to do this because of the entry and market rules. I emphasize that Freightliner is a unionized plant—the closest thing we have in Oregon to the auto industry. It is a unionized plant with high, high wages. Freightliner has already increased its market to Mexico dramatically. They indicate that when the market is fully opened, they are not going to move to Mexico. Rather, they are going to quit sending the trucks in kit form. They will manufacture them all in the United States and send them down there, thereby increasing their employment. They have started expansion in Oregon on the expectation of increasing employment.

A second example is Landa, a Portland manufacturer of wastewater recycling equipment. Between 1992 and 1993, Landa has seen a dramatic increase in sales to Mexico—from zero in 1991 to nearly half a million dollars in 1993. Because of high duties, Landa was also considering sending kits to Mexico for assembly. With the NAFTA duty reductions, Landa will be able to manufacture the equipment entirely in Oregon and export to Mexico. That is what they plan to do. This would mean more jobs for Oregonians.

So, Mr. President, Oregon companies have confirmed what every credible economic study has indicated about NAFTA: That after all of the misinformation about NAFTA has been cleared, NAFTA will be a net job gainer for the United States.

I thank the Chair.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER (Mr. DORGAN). The Chair advises the Senator that the time from 10:30 a.m. shall be under the control of the Senator from Pennsylvania [Mr. SPECTER].

The Chair recognizes the Senator from Pennsylvania.

Mr. SPECTER. I thank the Chair for that information. I note that the distinguished Senator from Texas has a presentation on NAFTA following the sequence. I am glad to defer to her on the understanding that my half hour would begin at the time I commence.

The PRESIDING OFFICER. The Chair advises the Senator from Pennsylvania that the time from 10:30 to 11 is controlled by the Senator from Missouri.

The Chair further advises the Senator that a unanimous-consent request could alter that order.

Mr. SPECTER. I ask unanimous consent that the Senator from Texas may be permitted to speak and that my half hour would begin when I start to speak.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

NAFTA

Mrs. HUTCHISON. Thank you, Mr. President. I appreciate very much the Senator from Pennsylvania yielding me a little bit of extra time to speak on NAFTA. We have had a series of presentations this morning. I think it is very important, Mr. President, that we hear from all of the sides of NAFTA. Up until this point, we have heard a lot of anti-NAFTA talk, and it is time that we talk about the importance of NAFTA.

Let us look at the big picture, Mr. President. I think it is the most far-reaching treaty that we are going to take up in America for a long, long time to come. We are looking at our past Presidents—President Bush, President Carter, President Ford—along with our present President, President Clinton, come together. They have looked at the global situation and what is happening in trade, and they have seen a closing Europe, and they are looking into the future and seeing that it is difficult sometimes to penetrate trade with Asia.

So what should we do to make sure that we are competitive, that we will have export markets in the future? Obviously, we must look into our own hemisphere, and that is what these Presidents have done.

I applaud President Clinton for carrying on with the treaty that President Bush put forward, and I appreciate President Carter and President Ford and President Nixon all coming together and saying that this is right for America. They are looking at the future, and they do understand that export markets are important for jobs for America, and that is what we are looking at. So this is going to be truly a bipartisan effort.

Some of our opponents are saying that corporations are going to move to Mexico because the labor is cheaper there. There is nothing that keeps corporations from moving to Mexico right now. Some of them have done that. But what NAFTA does is it increases the economy of Mexico, wages will go up, and what happens when wages go up? When wages go up in Mexico, the people of Mexico buy American products.

Right now, the average Mexican citizen spends $380 on American products, the largest amount of any average citizen in the world, except Japan—larger than Europe—and we must keep that. NAFTA will increase this because that is what we have seen happening.

Since the trade tariffs were lowered with Mexico, we have gone from 12 billion dollars' worth of exports to $40 billion. As Senator DANFORTH pointed out earlier, for every $1 billion of trade that we have of export markets, that is 20,000 jobs for Americans. So you can see that when the trade tariffs have gone down with Mexico, what has happened? There have been 500,000 jobs created in America. That is what we are looking at if we continue to decrease the trade tariffs. We are looking at even larger markets, and we are looking at more jobs for Americans, and that is what we must talk about today.

Let us take another of the things that our opponents are talking about—the environment and the labor laws. They are crying about what is going to happen when we do not have the enforceability. How can they even be thinking and say things like this because, in fact, what we have now is no enforceability. The Rio Grande is the most polluted river in the entire United States, and it is polluted without NAFTA. But now we have agreements. We have a tripartite commission that will have the ability to enforce the laws against pollution, so that now with NAFTA there will be a place to go where there will be leverage to clean up the Rio Grande River and to clean up the air in the border cities in my State like El Paso and other border cities that have been so injured.

We will have the ability for the first time, if we pass NAFTA, to enforce the environmental laws and to enforce the labor laws so that we have the best chance that we will ever have to make sure that there is fair labor and that we can begin to clean up the environment on our borders.

The other issue that I think is very important is immigration. Estimates are we will have 1.5 million fewer immigrants if we pass NAFTA that are illegal coming into our country. That is very important. It is very important for all of our America, but especially our border States—Texas, New Mexico, Arizona, and California—because those border cities have really been burdened with a lot of infrastructure charges created by illegal immigrants.

The cost of educating the children of illegal immigrants, hospital costs, because they come across the border and they use the hospital facilities in those areas is high. Health care and infrastructure, highways, sewers, water lines, all of these things must be expanded when illegal immigrants come across our borders.

But if we continue to build up trade with our partner to the south, the problems of illegal immigration are going to be reduced. This was reiterated by Leon Garcia Solar, a Mexican economist, who said: "If Mexico cannot buy, your unemployment goes up and your farms go under." He understands that if we are going to have two strong countries together, NAFTA is going to forge that alliance.

Mr. President, NAFTA is not an end; NAFTA is the beginning. Our President and our former Presidents see that. There is a reason that we have a bipartisan effort on NAFTA, with our former Presidents and our present President coming together and saying this is right for America, because they are looking at the global view and they are saying NAFTA is not an end.

What we want is a trade alliance that will start in Canada and go to the tip of South America, so that we will have strong trading partners, and it will be in our hemisphere that we have strong neighbors with strong economies and great trading relationships. NAFTA is good for Mexico; it is good for the United States; and it is good for Canada.

So I thank you, Mr. President, and I especially thank the Senator from Pennsylvania for letting me talk about this very important issue. I hope that the people of America will be able to see both sides of this issue as we go down the way, and that they will support our President, our minority leader, and the majority Democrats that are all coming together and saying NAFTA is good for all of us, and what strengthens our hemisphere is going to make us all stronger.

Thank you, Mr. President. I yield the floor back to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 30 minutes.

Mr. SPECTER. I thank the Chair.

REFLECTIONS ON LILLIE SHANIN SPECTER'S VALUES ON THE OCCASION OF THE 93D ANNIVERSARY OF HER BIRTH

Mr. SPECTER. Mr. President, after attending the impressive joint session of Congress on March 27, 1990, commemorating the 100th anniversary of the birth of the President and General of the Army, Dwight D. Eisenhower, I thought it would be meaningful—albeit in a different way—to have a joint session on the 100th anniversary of the birth of my father, Harry Specter, who represented the unique contribution of immigrants who settled America in the early 20th century. Instead, in line with the realities of the Congress, I made an extensive floor statement in the Senate on July 1, 1992, on the life of my father on the occasion of his 100th birthday, noting his inspirational values: love of family, education—although he had no formal schooling—patriotism, courage, sacrifice, hard work, commitment to do whatever was necessary to do the job, and an overarching sense of optimism.

Given the uncertainties of life and elections, I have decided to memorialize the life of my mother, Lillie Shanin Specter, today, which marks her 93d birthday, instead of waiting until the year 2000.

In commenting on my parents, I do so because their lives demonstrate fundamental values which our country needs to reflect on and revisit. Considering the difficulties they faced, I believe their accomplishments surpass those of my generation, although we have many more material possessions and educational degrees. My parents' generation lived their values; most of our generation give lip service to those values and many of the next generation need to be reminded of fundamental values.

Reflecting on the life of my mother is awesome. To be meaningful, it is necessary to reveal some intimacies, but not all, in accordance with one of my father's wise statements: "Know what you say; do not say what you know."

My mother was a beautiful redhead when she met my father in 1916—just check her pictures hanging in my Senate office. Their romance was interrupted by World War I, when he was wounded in France in the Argonne Forest, carrying shrapnel in his legs for the rest of his life. Before he went off to war, Lillie Shanin gave him a picture, according to my sister Shirley, with the inscription on the back:

The French girls may be pretty,
The French girls may be kind,
But don't forget
The girl you left so far behind.

He did not forget; and on his return, he threw away his crutches and they were married while he was still in uniform.

My mother and I had an extra special relationship. It was more than being the proverbial baby of the family, the last of four children. Perhaps it was a slight—very slight—sense of embarrassment when my Aunt Rose Isenberg told me that my mother was at least mildly unhappy when she found she was pregnant with me. In the midst of the Depression, with three children ages 2 to 9, and a shortage of money in the Specter household, it was not so easy. Confronting my father with her concern, if not displeasure, he replied casually: "So there will be another pair of feet around the house."

But the pair of feet always around the house were my mother's. She was always there for her family in every way—no latchkey children in our house. Our mother did double duty because our father was a peddler—more fashionably today called a traveling salesman. He sold cantaloupes door to door in the summer and blankets to farmers in the winter. When he opened a junkyard when I was 7, it was in

Lyons, KA, which was 100 miles from our home in Wichita, so the family only saw him on weekends. That made him the hero when we saw him for Shabbos on Friday evenings, and left my mother with the week-long parental duties.

Their lives were like a travelog, but not for fun. They moved half way across the continent seven times—mostly to earn a living. It was "Schvertsu Machen Albn," which is Yiddish for "it's hard to make a living." But they never complained—no matter how tough it was. They were thankful as immigrants to be in America with opportunities for their children, if not for themselves.

Even so, their lives were a decided improvement over their parents'. My father grew up in Russia in a one-room dirt floor shared by his parents, seven brothers and a sister. At the age of 18, determined to avoid the oppression of the czar's heel and anti-Semitism, he came to America. My mother immigrated to the United States from a city called Lugansk in the Katrina Slav province near the Russo-Polish border, according to my aunt, Annie Kletman, at the age of 5 with her parents, Mordecai and Freda Shanin, and a younger brother, Max.

Mordecai Shanin sold fish on the streets of St. Joe, MO, and repaired Singer sewing machines. He died in my mother's arms when she was 15 and he was in his mid-forties, on the back staircase of 922 South 9th Street in St. Joe. Widowed with seven children, my grandmother maintained her pride and independence with all members pitching in to support the Shanin family, including Lillie who left school after the eighth grade to work in a tablet factory.

My grandmother, Freda Myramovich Shanin—we called her Bubba in Yiddish—exuded strength which my mother inherited and passed on—jointly, of course, with my father—to their children. When Bubba once saw me wearing bluejeans, she admonished me saying her sons—poor as they were—never wore overalls. I wonder what she would say today with almost the majority of Americans wearing jeans or overalls.

My mother inherited her mother's sense of humor, notwithstanding the tough times. When I was about 5, sitting with my mother on the St. Joe front porch swing, it broke, and Bubba told me I had to pay for it. That concerned me greatly. Since I only weighed about 50 pounds, I think, contrasted with my mother who obviously, weighed substantially more, I argued proportional responsibility. But then, my grandmother laughed and told me she was only kidding. It relieved me substantially.

Bubba meticulously observed the sabbath and Jewish traditions, passing on a strong sense of religious responsibility to our family. There was total unity among Bubba's children—my aunts Annie, Rose and Mashie and my uncles, Max, Louie and Albert—perhaps derived from the days when they had to work together to survive following my grandfather's untimely death. When the entire family gathered with many grandchildren at 922 South 9th Street for the Jewish holidays, coming from Wichita, Chicago, and Waco, TX, the grandchildren and some adults would sleep on the floor, but nobody minded. We could not afford a Holiday Inn, even if there had been one in those days.

Like her mother before her, my mother saw to it that our home, however modest, as physically comfortable and psychologically secure. She was always at home. As each one of us would enter the front door, we would go through the ritual, as children do, of yelling "Mom," and back would come her reassuring voice—perhaps the kind of reassurance that is most fundamental for a youngster to know who he or she is and where he or she stands.

Even with our family's modest income, my brother Morton's closest friend, Donald Dushane, was a constant dinner guest. My sister Hilda observed that her friends relished an invitation to our dinner table because our mother "was willing to fashion the most intricate and labor intensive delicacies of food for our palates." My sister Shirley remembers our mother carrying hot egg sandwiches for our lunch to College Hill grade school in Wichita, six blocks away.

Generosity and compassion were my mother's hallmarks. When a distant relative, an unmarried teenager, became pregnant, my mother invited her from Philadelphia to Phoenix so that the young teenage cousin could deliver, return to her home, resume her life, marry, and ultimately raise her own family. After her youngest sister, Mashie, died, my mother went to Waco and stayed weeks caring for Mashie's husband, Leslie Hoffman, and their four children. She looked after elderly neighbors—who lived next door to us in Wichita, the Chances, a couple in their nineties in Wichita—he was a Civil War veteran; and in Russell, our neighbors were the Hoovers, aged 80. She would drop in to see that they were all right and, on occasion, bring some hot soup.

During World War II, many Jewish soldiers were stationed at Walker Air Base, 15 miles from Russell, KS, where we lived. Our home served as a synagogue during the Jewish holidays and an unofficial branch of the USO. The living room-dining room—connected rooms—of our home at 115 Elm Street bears testament to this day with a slanted floor when the supporting beams buckled under the overload weight of about 25 soldiers and their wives who attended a Passover Seder in 1943. The house was built for a family, not a convention or a Seder. When my sister Shirley and her husband, Dr. Edwin Kety, were posted in a remote Arizona town near the Mexican border in the public health service, my mother interrupted her own activities to care for their children in Phoenix so they could maintain their Hebrew school education without moving away with their parents.

My mother was a prolific letter writer to family and friends—letters which people have saved for decades. Her letters to Joan and me would be saved for Saturday morning and savored around the family breakfast table. Our young sons, Shanin and Steven, would even interrupt their Saturday morning television cartoons—tough thing to get them to do, but they did it willingly—to hear their grandmother's interesting letters.

She could have written a primer on being a model mother-in-law, a proposition subscribed to by all four of her children's spouses. Arthur Morgenstern, Hilda's husband, praises her to this day, marveling at their 33-year relationship. Joan says she learned how to be a mother-in-law by example.

Many mothers are, at least, a little protective of their sons when it comes to marriage. My wife-to-be Joan had her first meal at my parents' home for Thanksgiving less than 2 months after we met when she was 15. I was a much older man of 19, although the 4 years difference in our ages has significantly diminished over the years. Contrary to what might be expected, my mother urged me—in fact, rather strongly to marry Joan some 4 years later. And our wedding album contains a photo of the traditional wedding kiss with my mother smiling and beaming in the background. That picture is worth a million words—really, really more.

My parents' 45-year-old love affair came to an abrupt end in 1964 when my father had a heart attack and died on a trip to Israel. She returned to her home in Phoenix; and at the age of 64, learned to drive a car and carried on her independent life. When I hear of family values, I think of our family's 230 years of uninterrupted marriages: 45 years for my parents; 51 years for my older brother Morton and Joyce Specter; 50 years for Hilda and Arthur Morgenstern, 44 years for my sister Shirley and her husband Edwin Kety; and 40 years for Joan and me.

As I reminisce about my mother, some may wonder if I am writing about an angel. In fact, I am.

If she had a fault—and I am not sure she did—it was that she worked too hard. She was an immaculate housekeeper; and even after the stove was scoured, she would clean it again. She was surely busy. My brother Morton followed her example of extra hard work and never learned to play enough, and the same might be said of her other children. Or, perhaps it was the time sheets that we lawyers keep—pressing us not to waste time and keep

track of each minute. I am glad that the next generation, my sons have a better balance on work and leisure—perhaps moderation perhaps learned from their mother.

Through all the travail, my mother was cheerful, maintaining a home that was rock solid with love and perhaps most of all—establishing a feeling of confidence in her children. Some bumps along the way—perhaps even failures—were a part of life and ultimate success.

Education—which our parents had little of—and hard work—which our parents had plenty of—were the ingredients for their children's success. Our parents' ambitions were wrapped up in their children. Considering my mother's struggles and the fact that my father had to walk across Europe and travel steerage to America, their children's ambition and motivation to succeed took us on much easier paths, no matter what obstacles we faced.

When I am frequently asked today about what motivates children, what should motivate children, I think in direct and simple terms about my mother and father.

In our family, the children knew they had to behave and succeed because to do otherwise would be unthinkable, considering our parents' sacrifices. We would never do anything to embarrass them or do less than our very best.

While this brief statement obviously cannot match the pomp and ceremony commemorating President Eisenhower's centennial, it is a privilege for me to be in the U.S. Senate—I think here, significantly, or largely, or perhaps totally because of my own background—and to have this opportunity to honor my mother on the occasion of her 90th birthday.

Beyond my own personal pride I take this time on the Senate floor and the expense in the CONGRESSIONAL RECORD because the life of Lillie Shanin Specter is a model which should be studied by parents everywhere, and perhaps by some children as well.

I thank the Chair. I thank my colleagues in the Senate for the opportunity to make this presentation.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTING AGAINST THE RECOMMENDATIONS OF THE BASE CLOSURE COMMISSION

Mr. SPECTER. Mr. President, I had commitments in Pennsylvania yesterday, visiting the hospital of the University of Pennsylvania, taking a look at the issue of needs on breast cancer and prostate cancer, and could not return in time to participate in the debate on the resolution of disapproval on base closing, so I would like to take a few minutes this morning to comment briefly on my reasons for voting in favor of that resolution and against the recommendations of the Base Closure Commission.

I did so, Mr. President, in part because I am opposed to the process. In fact, I was one of the few Senators who voted against the base closing act. It is and always has been my view that that is a job which ought to be undertaken by Congress. I realize in saying that that there have been some problems in the past, and there is an overriding concern as to the ability of Congress to take on the difficult job of base closings. But I think it is a job we can do and that we should have done and that we should not have assigned to a commission under the arrangement where the commission makes the recommendations which are virtually certain to be ratified by the administration and then a resolution of disapproval is extraordinarily difficult because it takes both Houses of Congress and, if that is vetoed, then it takes a two-thirds override. So once that legislation is passed, it is out of the hands of Congress. I think it is our job to do, I think we should have done it, and we should not have delegated it.

Having been opposed to the process, I view with substantial skepticism what happens flowing from that process.

Then representing the Commonwealth of Pennsylvania, I have had many, many matters which have come before the Base Closure Commission and that process.

At the outset, Mr. President, let me say that I do believe the members of the Commission have individually done an outstanding and a dedicated job. I do not necessarily agree with their conclusions, but I think that the chairman, James Courter, has worked laboriously as have the other Commissioners: Peter Bowman, Beverly Byron, Rebecca Cox, Hansford Johnson, Harry McPherson, and Robert Stuart.

I have had many dealings with the members of the Commission which have been, on a personal level, pleasant and cordial, and they have been accommodating. I might note that they met in Newark on Mother's Day, and I was one of a number of officials from Pennsylvania who went to Newark on Mother's Day to discuss their findings, and I traveled to Columbus, OH. They worked assiduously on their job. So that my comments and voting against their recommendations does not reflect on them individually. I repeat, I think they are people of the highest integrity and competency and did their very best to do the best job they could.

I think the process is further faulty, Mr. President, because it does not allow the Congress really to get the basic information that it needs and the public to get the basic information that it needs and the Comptroller General, General Accounting Office, to get the information which the law really requires. The statute says that the Comptroller General, the General Accounting Office, is to have access to all of the information which is used by the Base Closure Commission.

In the 1991 proceedings, as it related to the Philadelphia Navy Yard, illustratively, the Navy hid material evidence. They concealed letters from Admiral Claman and Admiral Hekman which said that the Navy Yard should be kept open. They did not turn over all the information, which they were obligated to do, to the Comptroller General, General Accounting Office. Senators like this Senator could not get the information.

As a result of what I thought were very, very bad practices by the Department of the Navy, practices which I had labeled as fraudulent and in bad faith, they went ahead and closed the Navy Yard. The Base Closure Commission affirmed it. And it has led to some very, very intensive and really bitter litigation with those who opposed their findings and those in favor of keeping the Navy Yard open having won two major decisions in the Court of Appeals for the Third Circuit, really remarkable decisions, based on the issue of judicial review.

It is hard, once a commission has acted and Congress has acted and the President has acted, to get the courts to review their action. But that, in fact, is what we have accomplished at least to date on the basis of two opinions by the Court of Appeals for the Third Circuit. There is an application for cert pending, but that process is further illustrative of the difficulties which I have seen in the recommendations of the Commission.

This year, when there were issues involved about the closing of Pennsylvania installations, having had the experience from 1991, having found that there was a very material bit of information available which the Navy had not turned over, a group of Members including myself went to court to compel information to be turned over, getting a judicial order. So that my experience with the process has been disquieting and unsatisfactory.

Those, in essence, Mr. President, are the reasons why I voted to reject the findings of the Base Closure Commission yesterday.

I see my colleague, Senator BOND, has arrived in the Chamber. I believe he has time reserved. So I do yield the floor.

The PRESIDING OFFICER (Mr. MATHEWS). Let the Chair note that the Senator from Missouri controls the time until 11, and if he wishes to speak now, it would be in order for him to ask unanimous consent.

Mr. BOND. Mr. President, I ask unanimous consent that I may be permitted to speak for up to 10 minutes. I do not need to use the entire time allotted. I believe others have spoken in the time that I had initially requested.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE REFORM

Mr. BOND. Mr. President, yesterday, I was in the State of Missouri, and I spent a good bit of time talking to people who are involved in health care for indigent children, people who run the urban health clinics that serve a great deal of our indigent population in the State of Missouri, and people at public hospitals. I found a couple of encouraging notes in those discussions. No. 1, we have a program in Missouri called Parents as Teachers that gives parents assistance in dealing with their newborn children up to the age of 3 years.

Initially conceived as an early education program, we combined it with health screening for 10-to-20-month-olds. Through that screening process and through the visits of parent educators, we found that this program provides tremendous benefits in getting our smallest citizens into the health care system at a time when service and assistance can be most helpful to them and most beneficial.

Second, we have, as I have indicated on this floor before, a capitation program in Medicaid in Jackson County, MO, the western part of the State of Missouri. The county is most of Kansas City and includes Independence and other cities.

Under that program, which was set up as a result of the waiver I requested from the Health Care Financing Administration when I was Governor back in the early eighties, the Medicaid patient is enabled to select a caregiver, one of two fine community health centers or Truman Public Hospital, or one of the group of PPO's, preferred provider organizations. Each month, the health care provider gets a set amount of money, a capitation payment, for every person enrolled in those programs.

We found that this changes the incentive to make sure that people are kept well rather than treated at the sickest points in their lives.

The interpretations of the data may differ somewhat. But most people agree that we have had improved health in the Medicaid community in Jackson County. Polls that we have taken of the Medicaid recipients show that those under the capitation system are happier than those in other parts of the State. And we have seen some significant million dollar savings in the system as a result of the prepayment or capitation, which puts an emphasis on preventive care and keeping people well.

I mention that program because I am going to talk in a minute about financing health care. One of the ways we have to do that, I think, is by making savings in the system that we now have. I believe we can make savings by moving to capitation in Medicaid. The Health Care Financing Administration estimates about $42 billion can be saved over 6 years, and I think it can make people healthier.

But let me talk about the concerns. One of the concerns that was raised was whether existing community health centers and urban clinics would continue to be served. I assured the people who ran those clinics that it was my intention, and I believe it is the intention of the administration and others who are pursuing health care reform, not to get rid of the institutions that are doing an excellent job serving the population, but rather to provide universal access and provide the funding resources for the indigent population and others so that they can pay for those services and lessen the need for public subsidies.

I suggested also under a competitive system, those clinics, those health centers that have been serving people in the area would certainly be most likely to attract that same group as their clients under the new system. Certainly, the system that we have proposed on this side of the aisle would encourage that. I will do everything I can to make sure that any system we set up does promote that kind of competition and the utilization of good entities where they exist.

The second point I heard, which was raised with some great deal of skepticism, is how are you going to finance it? This is going to be an expensive business. Health care reform is too important to make vague or overly optimistic assumptions. Several public officials I talked to yesterday were skeptical of the cost savings and the financing that we talked about. We need to be able to reform the system. We must be committed to assuring universal access. But we should not promise more than can be delivered.

I talked to an expert in the field, who had been an official in a previous Democratic administration. He chided me because he thought our savings, the ones we projected in our plan, were too optimistic. I pointed out to him that the savings which are rumored to be included in the administration bill are even more significant, and the promises for additional service and coverage are even more generous.

He shared a very great deal of skepticism that some leaders in this body have expressed. I read in the paper over the weekend and heard on weekly talk shows: We cannot assume too much. We should err on the side of caution, of overestimating costs and underestimating savings.

I think the plan we put forward and offered as a discussion point recognizes the difficulties in estimating health care and errs on the conservative side. Thus, we save and expand care, and we believe we can demonstrate savings. We believe that we can save $213 billion over the next 5 years by slowing the growth of Medicaid and Medicare. We then apply those funds to a sliding scale of assistance: 100 percent vouchers for those at the poverty level or under, and we hope at least partial vouchers, at least, up to 200 percent of poverty.

We also believe there are other savings, an additional $57 billion through other reforms. But we do not count them until they occur. Let me tell you why. Congress and its estimators have been woefully off the mark in estimating health care costs. For example, the 1990 budget agreement; we all joined hands and projected that $45 billion would be saved in Medicare and Medicaid as a result of the agreement. Now, just 3 years later, technical reestimates in Medicare and Medicaid have not only obliterated the "savings," they have, in fact, increased the deficit in those two programs over the fiscal years 1991–96 period by $120 billion.

I do not know whether it was Yogi Berra or somebody like Will Rogers who said: You can make predictions so long as they are not about the future. I think they might have been right if they were talking about health care estimates. The key to reforms and the estimating of them is the effect that reform is going to have on behavior of patients and consumers; are they going to consume more or are they going to consume less? And on doctors and hospitals; how will they react to the changes being proposed? Will they gain in the system? Will they overdiagnose or evaluate patients coming in to treat them as sicker? Will jobs be lost? How quickly will premiums and costs be lowered? Will savings from lower premiums be translated into higher wages? Will new jobs occur? How many people will take advantage of new coverage?

These are just some of the questions we must ask. We must keep in mind that one of the primary objectives of this entire reform is to rein costs in for families, small businesses, and governments. Thus we know what new benefits will cost and what savings are realistic.

The bottom line is simple. How the plans will pay for themselves is as important as what is in the plan. Congress and the President cannot promise things we cannot deliver.

Mr. President, passing health care reform will be difficult enough. I will be addressing this issue later.

I also ask unanimous consent to include in the RECORD at this point the Monday, September 13, Washington Post editorial entitled "The Cost of Health Care Reform." I commend it to those of my colleagues who may not have read it.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 13, 1993]

THE COST OF HEALTH CARE REFORM

In trying to sell its reinventing government and health care plans, the administration needs to be careful not to destroy a major asset. The asset is its credibility in making budget estimates. When the president named the leading member of his economic team last year—Lloyd Bentsen as Treasury secretary, Leon Panetta and Alice Rivlin as budget officers—he sent a message. The message was that in his administration the basic estimates would be honest. The deficit would no longer be a political toy. They would treat neither the estimating process nor the programs that depend upon it with contempt, as had his two predecessors. His nominees were his handshake on that.

That seriousness of purpose helped the president in the budget debate. There were lots of battles over the numbers the administration used in describing its program. What was the proper baseline or starting point to use in calculating how much new deficit reduction the president was proposing? Was it a $450 billion plan or a $500 billion plan over five years, and how did the savings divide between tax increases and spending cuts? How should a hybrid proposal like the one to reduce the net cost of Social Security by subjecting a larger share of benefits to the income tax be classified, as tax increase or benefit reduction? There were disputes as well about the likely effects on economic growth of some of the administration's proposals. But at some basic level even opponents agreed that the president's plan was real in that it would achieve about the amount of deficit reduction the administration said it would. To beat it, the opponents had to come up with one that was equally real, and they couldn't. That above all was why he won.

The claims that are being made for the reinventing government plan, or some of them, are much less solid. The overselling has already weakened the plan, not strengthened it. The debate has shifted in part from the ideas in the plan, which are generally good, to the savings estimates, which are exaggerated. Even administration allies say the plan is overblown. Among their fears: That Republican and other critics will take the president up on the estimates and try to hold the administration to savings that the plan can't support.

The reinventing government issue is less important than the one with regard to health care. The health care plan involves the possible restructuring not of a list of government programs but of a seventh of the economy. The administration has lately seemed to be saying in its zeal that it will be possible to achieve great gains in health care reform at minimal cost. At the federal level, the background briefers suggest, reform will not require a major tax increase and, indeed, will help to produce a major spending cut. The cut in existing health care costs will be so large that it will help not only to finance universal health care coverage but also to reduce the deficit—and all without a reduction in existing health care benefits.

Will it really be that easy? To get to universal coverage the administration would for the first time require employers to help pay the cost of a basic insurance package for all employees. The requirement won't show up in the federal accounts as a payroll tax but standing alone would have the same effects; it would depress both employment and wages. To ease these effects on smaller businesses and lower-paid workers particularly, the administration would provide subsidies. It would subsidize coverage for the rest of the uninsured as well—those not covered by current government programs who are not in the workforce. To finance the subsidies, the administration would basically try to suppress all health care costs by imposing, not price controls, but payment controls. It would limit annual increases in both private health insurance premiums and public payments through Medicare and the system for the non-elderly needy with which it would replace Medicaid. The bet is that a reorganized health care industry would be able to provide the same quality of care it does today to more people for less money. A further and in some ways bigger bet is that Medicare and Medicaid are as squeezable as the private health care system. Not everyone thinks they are. If they aren't, the president's financing plan falls flat; the government would not be able to cut them enough to recover its costs.

We don't know enough at this point to say either yes or no. What we do know is that, on this one, the president needs to make sure. To underfinance this plan—to err on the sunny side in making the long-term estimates in order to win some short-term support—would be a huge and tragic mistake. The president can't afford to give the green-eyeshade people a veto over health care reform. But this is one on which he can't afford to succumb to temptation, either.

Mr. BOND. Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

TERMINATION OF SPACE STATION FUNDING

Mr. FEINGOLD. Mr. President, I would like to speak in morning business to lend my support to the amendment that we will be taking up later today offered by the Senator from Arkansas to terminate funding for the space station program.

For, me this is not a debate on the scientific merits of the space station only, or just a debate about space exploration in general. Rather, this debate and that which will follow is whether we are really serious about reducing our Nation's deficit.

I am not an opponent of the space station itself; nor of the research that is promised to take place on it; nor any of NASA's efforts, for that matter. What I am an opponent of is our unwillingness to take our Nation's spiraling debt seriously.

The supporters of the space station frame this debate in terms of the future. A group calling themselves Save Our Space Station wrote to me just last week stating:

America cannot afford to turn its back on its future.

NASA has stated, in a document entitled "Why the Space Station Makes Sense" that:

Space flight itself is one critical component of our ability to invest in the future and enrich the lives of our children.

The future and all of the potential research benefits of the space station supposedly weigh in on the support the space station side of the equation, I am told. My children will benefit; your children will benefit. In fact, all future Americans will supposedly reap the benefits of this effort.

This certainly seems to make sense at first—but then you have to remember, what about the enormous debt we are leaving our children and future generations? Is not our struggle with how to reduce the deficit about the future also?

The first thing that comes to mind when I think of the future in America is not space, but the tremendous financial debt we will be leaving our children—and, most likely, grandchildren—to deal with. How much of the Federal budget will it take to service the Nation's debt by the time the space station is up and running. How many critical programs will be choked out by the need to continue to pour billions into paying the interest on our national debt?

It is important to remember that we are not only imposing upon future generations the obligation to continue to pay off the debts that we have accrued; this crushing burden will also deny them the opportunity to make their own policy decisions. The decisions we make here today, such as continuing funding of the space station, may well effectively cut off the opportunity of future generations to make their own policy decisions. I think that is wrong and a denial of their generation's opportunity to make their own mark.

To me, the future also brings to mind a young couple going out to buy their first home—the so-called American dream. In order to purchase the home, you first have to make a large downpayment, usually. That is what I think we did last month right before the recess in passing the President's deficit reduction plan —a $500 billion downpayment on our deficit problem. This downpayment on deficit reduction consisted of an equal share of painful spending cuts and taxes.

The American people are now asking for more spending cuts to go along with those initial cuts and those taxes. Like the young couple buying their first home, they realize you cannot stop with the downpayment if you are serious about reducing the deficit, or if you are serious about purchasing a home. You also have to make your monthly mortgage payments.

By voting for this amendment, you will be making at least a $2.1 billion payment toward deficit reduction for this year alone. Call it our September deficit reduction payment. It could turn out to be an even greater payment toward reducing this deficit if we are successful in terminating, or at least delaying, the space station altogether.

I do not want to make any estimate on what the entire savings would be

today, because I am not sure if anyone can tell us for sure how much this program will eventually cost the American people to place in space and then operate after permanent occupancy.

It is this inability to calculate the future costs, whether it be on account of the rushed redesign efforts, the historic cost overruns of the program, or the inherent difficulty in predicting the technical challenges and risks associated with such a complicated engineering fete, that further convinces me to oppose the funding for this project at this time.

There is also talk of the space station being a symbol of international cooperation. It is said that not only will our astronauts link up with the Russian Mir Station and train for future space station operations, but one design would have us working together with the Russians in the actual building of the station, culminating in an international joint effort with the European Community, the Canadians, and Japanese as well. Any effort at international cooperation is commendable. However, perhaps we can teach the new Russian Government a different lesson first—a lesson in fiscal responsibility.

I thank Senator BUMPERS for taking the lead in the drive for deficit reduction.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FEINGOLD. I yield the floor.

NAFTA

Mr. DORGAN. Mr. President, I will take only 5 minutes in morning business. I must say I have listened this morning to the discussion of NAFTA and the Mexico trade agreement.

I am reminded of a song, when I hear this debate, by Bob Wills of the Texas Playboys, a Texas swing band in the thirties, with the verse:

The little bee sucks the blossom,
But the big bee gets the honey;
The little guy picks the cotton,
And the big guy gets the money.

If you strip away all of the chaff on this issue, this is about little guys and big guys. That is what this trade policy is about. Those who support the Mexico trade agreement say this will expand jobs. They want to create opportunity, they want to expand trade, they want to help Mexico, and they want to build a North American trade alliance. They are the ones, they say, with new vision for new opportunity. Their characterization of those of us who oppose it is that we are opposed to change, and we cannot see the future, they seem to suggest. We are the ones who "just do not get it."

We are, in the words of many of them, protectionists, isolationists, xenophobes. If you step back, in fact, from the television ads now supporting the trade agreement with Mexico—you have seen them in the last few days—step back from the ads, with the flags furling in the background in the gentle breeze, with the "Battle Hymn of the Republic," or whatever it is they are playing, that make it seem like this is an all-American policy, step back, strip all of that away and look at this policy nakedly.

In its naked truth, this policy with Mexico is nothing new. It is no change. It is the same policy cadaver on trade that we have had forever in this town. It is a failed trade strategy at its core. It is more of the same that has given us record trade deficits and an erosion of our manufacturing jobs. At its roots, it is America's corporations telling us this is a global economy and they must, therefore, decide to produce elsewhere and sell back here. They want to find a way to produce where they can access $1 an hour labor and access our marketplace in return.

Some of the discussions today about this issue have said, well, Japan has done that. They have been manufacturing in Thailand. Yes, but it is interesting, they keep their market pretty much closed. So they manufacture in Thailand not to ship back to Japan, but to ship elsewhere in the world. That is not what will happen with Mexico. This sets up a competition between us and Mexico for jobs, and when that happens, we lose because we cannot and should not compete for $1 an hour labor.

If we were talking about a staging area for exports to the rest of the world, maybe that is a trade agreement we can talk about. But that is not what is being discussed with Mexico. They say, well, Mexico now has a trade surplus, or we have a trade surplus with them. Sure. If you close another plant, the surplus will be bigger. Close plants and move them to Mexico, and our trade surplus will grow. Is that a sign of economic health? Not where I come from, it is not.

Some say, well, at its roots, let us help the Mexican economy. That is fine. The question is: Where is that on the priorities? I come from a rural economy in this country. My home county, Hettinger County, ND, has lost 20 percent of its population in the last decade. If you are a small business there, you are trying to do business in a depression. If we want to help somebody, at least in my book, those rural counties in America that are shrinking like prunes deserve help at least as a priority versus the Mexican economy.

Jobs. The principal study purporting to push the NAFTA agreement, the Huffbrauer-Schott study, does two things. It measures new jobs created by American exports to Mexico. That does not make much sense, because some of the exports are simply shipping plants. That means we lose jobs. Nonetheless, they count them as new jobs. Interestingly enough, the same study does not talk about displaced jobs by Mexican imports back to the United States. Is that not an interesting omission?

Second, two-thirds of the new investment in Mexico now comes from the United States. The principal study says none of the new investment in Mexico after this trade agreement will come from the United States. What problem do we have in this country? A need for new investment. We in this country have an investment deficit.

What are we talking about doing, trying to create conditions for new investment in Mexico and denying it in the principal studies trying to sell this plan.

This is a bad trade agreement. It ought to be killed. We ought to decide to kill it and start over.

I am not suggesting we should not have a trade agreement. I am saying what we ought to have is a trade agreement that has two fundamental principles: Fair trade rules and open markets. Any trade agreement with anybody in this world should establish those two principles. We demand fair trade rules so that the trade between the two countries is fair, and we demand open markets so that markets are open. If those principles are involved in any trade agreement you will find me supporting it, but regrettably that is not the case with this agreement.

I intend to speak at greater length on this NAFTA agreement soon. And I might say this country will be significantly advantaged if this discussion about trade will become a central discussion about where this country wants to move in the area of trade. We will and should have, in my judgment, a national debate about trade policy so that we can talk in a significant way about this country's future.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

RANGELAND REFORM INITIATIVE

Mr. CRAIG. Mr. President, there are two items I wish to discuss with the Senate this morning that I think are very appropriate at this time, especially one that falls immediately upon the heels of an action we took last week when we voted on the Interior appropriations bill. We voted 59 to 40 in favor of placing a moratorium on this administration's proposal to implement their concept of rangeland reform 1994, which is better known as an increase in the grazing fees.

During the debate over that issue last week, I think it became obvious to anyone listening that it was a much larger issue than just increasing grazing fees on public land grazing; that the administration and the Department of the Interior had proposed a much broader approach from citizen participation and a blocking of the

right of that kind of participation which was historically there with what we called grazing boards or advisory boards with the actual proposal to confiscate private property that might be on those public grazing lands or water rights that might be held on those lands. We voted last week saying to this administration no, do not proceed without direct congressional input into that issue. We thought it was very important, by a very substantial vote.

It was during that time that I introduced two internal memos into the RECORD. One of them said—and it was a memo to the Secretary—that grazing fees were only a straw man to draw attention away from management issues, that it was management issues that we were really interested in. And then they went on to say that they had to, if you will, cook the statistics to make things look bad on the public range when, in fact, a statement from the memo proposed that the public range was in better shape than at any point in a century. All of those items were entered into the RECORD.

Now, I have been made aware of a new memo from the Director of the Bureau of Land Management, Jim Baca, to all of the State directors of the BLM across the Western public grazing States. He says:

> The bottom line is this: We will deliver on grazing reform—both to increase grazing fees and improve our on-the-ground management—

—if you will. And he said that:

> We are going to do this no matter what the House or the Senate says.

In other words, we do not care what they do. We are going to do it our way.

Just last week in a very large vote the Senate said to the Interior Department you must involve us. There must be public hearings. There has to be a public process here.

Immediately following that vote, the night afterward, Jim Baca, Director, says to the Senate and to the House we do not give a darn what you do; we are going to do it our way.

I think last week we found out that their way was a major takeover of the public lands in a way that Westerners certainly do not want to see it, and I think a way that nationally we do not want to see it. We want to maintain the kind of working cooperative relationship that we have had on our public lands of the West with the Department of the Interior and with those people who obtain leases for access for grazing and other public purposes.

So, Mr. Baca, hear me, and hear me again, and hear the U.S. Senate: When we spoke last week, we spoke for involvement, not a walk-away or not a suggestion that no matter what the Senate or the House does you will do it your way. Let us meet. We will be meeting this afternoon with the Secretary of the Interior to build upon a cooperative relationship.

EPA CLEANUP RULING

Mr. CRAIG. Mr. President, one other item. On the front page of the Wall Street Journal today a little mining community in Idaho named Triumph is fighting to not become a Superfund site.

Citizens there rallied, hired scientists to find out that all of the figures that EPA had arrived at in study of water, ground water, toxic levels and all of that were false, that EPA might have been fixing the records to try to find a Superfund site near a very important national recreation site to build an issue.

I say to the director of the EPA, read the Wall Street Journal today and read the front page. I will enter that article in the RECORD with unanimous consent at the conclusion of my remarks.

The article in the Wall Street Journal tells the true story of the citizens of Triumph in trying to work with EPA in a cooperative fashion, not to destroy a community as most all Superfund sites do, but to assure its long-term stability. My congratulations to the citizens of Triumph, ID.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 21, 1993]

FOR THESE RESIDENTS, EPA CLEANUP RULING MEANS PARADISE LOST

(By Tony Horwitz)

TRIUMPH, ID—Dan Tucker lives at the epicenter of what the Environmental Protection Agency believes may be the most hazardous waste site in the U.S.

"It's paradise," he says, setting on his back porch in this scenic former mining town near Sun Valley.

Mr. Tucker, 43 years old, gazes at the hills, sipping well water in which the EPA has found high lead levels. He uses the same water to hose down a plastic "Slip Slide" for his two young daughters to flop on, face first, and skid across a yard that the EPA says is laced with lead and arsenic.

Flanking Mr. Tucker's home—once the machine shop for a lead and silver mine—lie piles of contaminated waste. On dry summer days, the wind sweeps the dust onto nearby homes and gardens. The EPA even found heavy metals inside the Tuckers' vacuum cleaner.

NOT IN MY BACKYARD

Yet the fence-builder, like his neighbors, says he isn't putting his family at risk. "My girls are fine, the dog's healthy, the lawn looks good and I'm no more demented than I was when I came here 21 years ago," he says, making light of lead's impact on IQ levels. "I wish they would just leave us alone."

The EPA isn't cooperating. The agency has nominated Triumph for Superfund cleanup and conveyed on it an initial risk rating that exceeds any ever given to one of the nation's 1,200-odd Superfund sites, including Times Beach, Mo., and Love Canal in New York.

Braced for battle against Triumph's toxins, the EPA has been ambushed instead by Triumph's inhabitants—all 46 of them. Residents insist that Triumph's lead and arsenic are much less poisonous to them than the prospect of backhoes and bureaucrats taking over their town.

They also intend to defend every clod of contaminated soil. "We look like we're a bunch of hicks in the sticks that the EPA can just mow over," says Wendy Collins, a local activist. "But I don't think it will look so good when housewives start chaining themselves to bulldozers."

BEAT UP AND BEAUTIFUL

Triumph, named for a century-old mining claim, is both stunning and badly scarred. Nestled on the floor of a 6,000-foot-high canyon, the town's 17 homes—mostly former miners' cottages—ring a moonscape of mine tailings that locals call "the black sand." On one side of town runs a river, thick with beaver; on the other soars a mountain of mine waste, topped by abandoned machinery and the ruins of a mine that opened in 1882.

This setting has kept land affordable and drawn residents so eccentric that they jokingly suggest Triumph as the set for a TV series called "Western Exposure." When the mine closed in 1957, a religious cult called "the Saucer People" moved in, awaiting the return of Christ on a flying saucer. Then came refugees of the 1960s counterculture, many of whom remain.

Typical is Ms. Collins, a tailor and nondenominational minister from California who calls herself an ex-hippie and New Age environmentalist. "Before," she says, "whenever the EPA nailed some corrupt contractor, I used to go , 'Yeah!' "

All that began to change two years ago, when the EPA came to town. The agency held a meeting to warn residents that their air, soil and water were badly fouled. Experts from Atlanta explained how childhood exposure to lead could lower IQ, while arsenic might poison residents or cause cancer.

Heidi Heath, who hosted the meeting in her garage, says that for months afterward, "I would lie awake at night, crying." As the mother of two young girls, she says, "I kept blaming myself, thinking, 'What have I done to my children?' "

She also felt trapped. Since the EPA's arrival, banks have refused loans to residents and real-estate agents say the threat of a Superfund listing makes houses here almost unsalable.

"We're lower-middle class, our property is everything," says Ms. Heath, a seamstress and part-time bookkeeper.

But soon after that first meting, Triumph experienced another shock. Blood and urine tests showed that residents' lead and arsenic levels were normal—and well below those in big cities. Adults who grew up in Triumph, often playing in the black sand, also showed no ill effects.

Moreover, all but one retest of the town's well failed to show signs of high lead content. With her bookkeeper's eye, Ms. Heath also began to notice errors. For instance, the EPA issued identical, alarming results from soil tests taken all across town. "You were inadvertently given the wrong sample results for your property," the agency wrote in a follow-up mailing.

ATTITUDE PROBLEM

Such flubs made Ms. Heath wonder how many other errors were in the symbols and charts that the residents couldn't understand. She also was irked by the EPA's attitude. When she and other parents offered their children's baby teeth—which have been used to study lead exposure elsewhere—the EPA refused, saying such research must await "another phase."

Chris Field, the EPA's on-site coordinator, concedes that "certain errors" have been made. "But overall, we stand behind our data," he says. That data clearly suggests to the EPA that the toxins may imperil residents, particularly children.

Mr. Field adds that health tests—four so far—aren't conclusive because they only show recent exposure. "We're the Environmental Protection Agency, not the Environmental Reaction Agency," he says. "It's our job to protect health, not wait for adverse health before we act."

Unconvinced, Triumph has chosen to mobilize and found an appropriately unorthodox leader in Donna Rose, a 47-year-old art dealer who keeps a shotgun by her kitchen door and who dresses in baggy sweatshirts and Technicolor tights.

HEAVY READING

Armed with a video camera, Ms. Rose visited other Superfund sites and gathered testimony about the program's history of cost and time overruns. She plowed through texts such as "Basic Toxicology" to find studies that cast doubt on the EPA's stance. And she thrust it all on her neighbors, many of whom now discuss "the Michigan swine study on bioavailability" as easily as they do the weather.

Ms. Rose also has swayed Idaho's congressmen, and found lawyers and scientists willing to give free advice. The result: When the EPA formally requested "public comment" this summer on its proposed Superfund listing, Triumph fired back almost 1,000 pages, arguing that the EPA had grossly exaggerated the risk to the town.

"I haven't run into this strong and organized an opposition in my time at the EPA," says Michelle Pirzadeh, a 10-year veteran at the agency's Seattle office.

Almost every adult in Triumph signed the anti-Superfund petition, and a door-to-door tour of the town turns up no dissenters. While some residents say they would accept a limited cleanup—a cap on the mine tailings, for instance—they oppose the open-ended, multimillion-dollar process triggered by a Superfund listing.

"Would you hire a contractor who has no references of a successful job well done, has never come in at cost, and who spends most of his money on legal fees?" asks 50-year-old Ms. Collins, the activist, voicing common criticisms of Superfund.

The EPA's Mr. Field says the agency wants to avoid a confrontation. But the EPA has no choice other than to press ahead, in part because a Superfund listing is the only way to free funds for further study. "We're locked in," he says.

"COULD BE SOME ANARCHY"

So, too, it seems, are Triumph residents. While a final decision on the Superfund listing still is months away, the EPA hopes to start an emergency cleanup of residents' yards, perhaps as early as this fall. If it goes ahead, Triumph resident Chris Klick warns that "there could be some anarchy here."

Mr. Klick, 46, who owns a sheet-metal workshop, says he "went out and bought 1,000 rounds of 9mm [ammunition]—that's my public comment." If the EPA approaches his yard, he says, "I'm going to be standing at the gate with a gun. That's the way of the West."

He doesn't plan to shoot anyone, but he does intend to hold his ground, forcing the EPA to call out the National Guard. (Others say they will do the same by blocking the road with snowmobiles or chaining themselves to trees.) Mr. Klick's reasoning is typical. The health tests and reading he has done have convinced him that the toxins in Triumph are hard to ingest, and even harder to clean up—though both points remain subject to scientific debate. And he feels that whatever risk does exist must be weighed against the otherwise healthy environment Triumph offers, with its lack of city smog, stress and crime.

In the end, he adds, the fight boils down to a "very American principle"—the right to choose, and accept the consequences. For now, folks in Triumph are doing just that. Ms. Rose, the art dealer, enjoys wind-surfing across the ponds that form on the mine tailings. Others keep tilling their gardens, joking about huge "mutant" carrots, and about ice cubes that sink because of all the lead.

As for Mr. Klick, lead and arsenic pale beside other risks. "I ski down avalanche chutes, I race dune buggies in the desert, I ride a motorcycle, I hunt," he says. "Living in Triumph is the safest thing I do."

Mr. CRAIG. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, under the previous order, I had 10 minutes. I think we are going to run out of time here. I would like to take just 5 minutes.

I will ask unanimous consent that I might speak for 5 minutes as if in morning business at this point. We will go back into consideration of the Bumpers amendment, and I see our dear colleague from Alabama is here and wishes to speak.

So I ask unanimous consent that I might speak for 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. GRAMM. Mr. President, I want to start today talking about health care. I intend to continue this discussion every morning for the next week to talk about our problems in the health care area, but I would like to start today by talking about the need for a reality check in the health care debate and a reality check for both Democrats and Republicans.

One of the things that has been lost as we move toward the President announcing his health care plan tomorrow is that one of the two driving purposes of reforming the health care system, and by far the more urgent, was the explosive cost of medical care in general and the cost to the American taxpayer of Medicare and Medicaid in particular.

The explosion of Medicare and Medicaid costs have created the bulk of the deficit problem in American Government and have taught the whole Nation a lesson in compound interest. If a program grows at 10 or 12 or 15 percent a year it does not take very long until it destroys the fabric of a budget that is having to pay for it.

The reality check I think is needed is that when the President started to bring together experts from around the country, the focus was on cost savings. But now as we are beginning to get to see the President's package, what has happened is that the President is proposing a massive expansion in benefits, a standard coverage package which will guarantee every American a standard coverage of insurance that greatly exceeds the coverage that many Americans have today, the extension of coverage to 37 million people who are currently not covered, at least by some definition, the inclusion of dental care as an insured benefit, pharmaceutical coverage, nursing home care, long-term care, and alcohol and drug abuse.

My point is this, Mr. President: Those are wonderful things. Those are things that we would like everybody to have, but we started this debate because we cannot pay for the benefits that are currently guaranteed. And I am very concerned that when we are looking at guaranteeing all these new benefits before any savings have been produced by this plan, we are locking ourselves into a program for which there is not enough money in the world to fund it.

As the process has gotten underway, we now have proposals coming from the Republican side of the aisle that seek to guarantee fewer benefits than the President but more benefits than we currently cover. My suggestion is that we have a simple rule which says you cannot spend money until you save it. The President is talking about a massive expansion, $700 billion of costs, and he is basically tying all those new benefits and all that new spending to a belief that by having the Government take over and basically run health care purchasing in America, we are going to save money to pay for all these things. This health care purchasing cooperative is a little bit like a five-legged animal. It may work, but it is funny we do not see any of them in nature.

This is a totally unproven concept. In fact, try as I may to find some real world example in America, the closest example I can find is the Defense Department.

The Defense Department is the only buyer of defense goods in America. And the President is saying, by making the Government, through these health care collectives, the only buyer of health care, that they are going to be able to eliminate duplication and control costs. I ask my colleagues, if in fact Government can do that, why does the B-2 bomber cost so much money?

So my point this morning is that we need a good dose of cold reality. The debate about health care is largely a debate about exploding costs, about our inability to fund Medicare and Medicaid. Before we create all these

new wonderful benefits, would it be beneficial for Democrats and Republicans to have to prove that their proposals will actually save enough money to pay for these new benefits?

My fear is, if we add these benefits, we will never be able to take them away, and we may succeed, in one bill, in finally bankrupting the Government and at the same time destroying the greatest medical care system that the world has ever known.

So, my suggestion is this. When we adopt health care reform, let us not spend money on new programs until we have proven that we have the cash in hand from proven savings. Let us also preserve the ability of the consumer to choose.

If having a Government-run health care system is good and saves money, let us give people the right to choose to see if they want to engage in it. If it is so good, I think people will choose it. My guess is it will not be so good, and they will not choose it, and we will rejoice that we have preserved our freedom to choose, which is what being an American has always been about.

I yield the remainder of my time.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Mr. President, the Federal debt stood at $4,389,958,226,339.71 as of the close of business on Friday, September 17. Averaged out, every man, woman, and child in America owes a part of this massive debt, and that per capita share is $17,090.93.

NAFTA

Mr. McCAIN. Mr. President, in offering his support for the North American Free-Trade Agreement, former President Reagan compared tearing down the trade wall with Mexico to the tearing down of the Berlin Wall. He was right to do so. Each event represents a historical triumph of American values. Each event underscores the importance of free markets to the well-being of all people. Each event encourages us to take counsel of our vision, not our fears, and demonstrates the very real benefits which result from staying loyal to our convictions.

Are we to be guided by our vision and protect the advantages of a world increasingly in our image, or are we, like a fading power, to be guided by our fears and withdraw from an increasingly competitive world?

NAFTA offers U.S. workers and U.S. businesses the opportunity to compete in a market of 360 million consumers with a collective output of $6 trillion, a market much larger and much richer than the European Community. I believe the United States can compete in this market and should not shrink from the opportunities it offers.

Phasing out tariffs is in the United States interest because Mexico's barriers are 2.5 times greater than ours. Half of all United States exports to Mexico will be eligible for zero Mexican tariffs when NAFTA takes effect on January 1, 1994. Over 5 years, two-thirds of United States exports will enter Mexico duty-free.

Since Mexico began to seriously liberalize its economy in 1987, United States exports have tripled, accounting for roughly 400,000 jobs. By 1995, workers employed in producing exports to Mexico could swell to over 1 million. As both President Bush and President Clinton have pointed out, these jobs pay 12 percent more than the national average.

In addition to the gains we can expect from exports, production sharing within North America will make the United States, Mexico, and Canada more formidable global competitors, by displacing United States imports from nonregional countries and displacing United States investments in those countries. This will mean a stronger U.S. economy and more U.S. jobs.

These advantages have been recognized by our Nation's Governors. Forty-one Governors support NAFTA. These are people the closest to their constituents and most responsible for the daily management of an economy. Over 100 newspapers have also endorsed NAFTA including the USA Today, the Wall Street Journal, and the Atlanta Constitution.

It is true that NAFTA will benefit the Mexican economy. For Mexico, NAFTA will mean prosperity and stability. It will allow the Mexican Government to more effectively address environmental problems deep within Mexico and along the border. It will mean more resources to fight the war on drugs and will enable the Mexican Government to more effectively fight that war. It will also mean more effective control of immigration across the United States-Mexican border.

The defeat of NAFTA could cost current U.S. jobs and squander the historic opportunity before us to create as many as a million more. Witness the affect of the 1982 Mexican debt crisis on American exports. In 1982, U.S. exports dropped by half and a corresponding number of jobs were lost. Subsequent to the collapse of the Mexican economy, the reforms of President de la Madrid further demonstrated the commonsense connection between lower tariffs and increased U.S. exports. De la Madrid's efforts to liberalize the Mexican economy, although more modest than the efforts of his predecessor, resulted in a nearly doubling of United States exports to Mexico.

The leaders of our hemisphere, with one notable exception, have taken bold steps in the direction of democracy and free markets. Beyond the opportunities NAFTA offers for U.S. businesses and workers and the leverage it will give the United States in negotiating other international trade agreements, the decision we make on NAFTA will largely determine whether the revolution sweeping our hemisphere continues. It will demonstrate to our southern neighbors whether we are prepared to live and prosper by the principles we have espoused for 200 years, or whether we will retreat in fear of a world in our image. We should not underestimate the impact of the statement we decide to make.

RUSSIAN PRESIDENT YELTSIN CALLS FOR DECEMBER ELECTIONS

Mr. DOLE. Mr. President, the news that President Yeltsin has suspended the Russian Parliament and called for December elections has come as a surprise, despite the fact that Russia has been on the brink of political crisis for some time now.

While we do not have the details of why President Yeltsin made the decision to take this action at this time—although it is my understanding that Secretary Christopher will be giving a briefing very soon which may offer us more insight into Yeltsin's decision—we all know that Yeltsin has had great difficulty, especially in recent months, in implementing constitutional and economic reforms because of opposition from the Congress and the Supreme Soviet. It may be that Yeltsin made the judgment that there was no other way to guarantee that the reform process will continue without taking this drastic step.

And, while it is not clear what the consequences of President Yeltsin's action will be, we know that Boris Yeltsin has been steadfastly committed to democratic and economic reform in Russia. Clearly the Russian people voiced support for those reforms in last April's referendum.

So, in my view we have to watch the situation closely, keep the United States on the side of democracy in Russia, and hope that the December elections will result in a mandate for Yeltsin and reflect the Russian people's support for genuine political and economic reform.

BUDGET SCOREKEEPING REPORT

Mr. SASSER. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Congressional Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through September 16, 1993. The estimates on budget authority, outlays, and revenues, which are consistent

with the technical and economic assumptions of the concurrent resolution on the budget (H. Con. Res. 287), show that current level spending is below the budget resolution by $1.6 billion in budget authority and above by $0.6 billion in outlays. Current level is $.05 billion above the revenue floor in 1993 and above by $1.4 billion over the 5 years, 1993–97. The current estimate of the deficit for purposes of calculating the maximum deficit amount is $393.5 billion, $27.3 billion below the maximum deficit amount for 1993 of $420.8 billion.

There has been no action that affects the current level of budget authority, outlays, or revenues since the last report, dated September 14, 1993.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 20, 1993.

Hon. JIM SASSER,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report shows the effects of Congressional action on the budget for fiscal year 1993 and is current through September 16, 1993. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the Concurrent Resolution on the Budget (H. Con. Res. 287). This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, and meets the requirements for Senate scorekeeping of section 5 of S. Con. Res. 32, the 1986 First Concurrent Resolution on the Budget.

Since my last report, dated September 13, 1993, there has been no action that affects the current level of budget authority, outlays, or revenues.

Sincerely,

ROBERT D. REISCHAUER,
Director.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, 103D CONG., 1ST SESS., AS OF CLOSE OF BUSINESS SEPT. 16, 1993

[In billions of dollars]

	Budget resolution (H. Con. Res. 287)	Current level [1]	Current level over/under resolution
On-budget:			
Budget authority	1,250.0	1,248.4	−1.6
Outlays	1,242.3	1,242.9	.6
Revenues:			
1993	848.9	849.4	.5
1993–97	4,818.6	4,820.0	1.4
Maximum deficit amount	420.8	393.5	−27.3
Debt subject to limit	4,461.2	4,293.2	−168.0
Off-budget:			
Social Security outlays:			
1993	260.0	260.0	
1993–97	1,415.0	1,415.0	
Social Security revenues:			
1993	328.1	328.1	(2)
1993–97	1,865.0	1,865.0	(2)

[1] Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

[2] Less than $50,000,000.

Note.—Detail may not add due to rounding.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 103D CONG., 1ST SESS., SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1993 AS OF CLOSE OF BUSINESS SEPT. 16, 1993

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues	0	0	849,425
Permanents and other spending legislation	764,283	737,413	0
Appropriation legislation	732,061	743,943	0
Offsetting receipts	(240,524)	(240,524)	0
Total previously enacted	1,255,820	1,240,833	849,425
ENACTED THIS SESSION			
CIA Voluntary Separation Incentive Act (Public Law 103–36)	1	1	0
Unclaimed Deposits Amendments Act (Public Law 103–44)	0	1	0
1993 spring supplemental (Public Law 103–50)	1,003	1,119	0
Transfer of naval vessels to certain foreign countries (Public Law 103–54)	(8)	(8)	0
Small Business Guaranteed Credit Enhancement Act (Public Law 103–81)	(12)	(12)	0
Total enacted this session	984	1,181	0
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	(8,443)	922	0
Total current level [1]	1,248,361	1,242,935	849,425
Total budget resolution [2]	1,249,990	1,242,290	848,890
Amount remaining:			
Under budget resolution	1,629	0	0
Over budget resolution	0	645	535

[1] In accordance with the Budget Enforcement Act, budget authority and outlay totals do not include the following in emergency funding.

[In millions of dollars]

	Budget authority	Outlays
Public Law:		
102–229	0	712
102–266	0	33
102–302	0	380
102–368	1,060	5,873
102–381	218	13
103–6	3,322	3,322
103–24	4,000	4,000
Offsetting receipts	(4,000)	(4,000)
103–50	0	(30)
103–75	4,190	141
Total 1993 emergency funding	8,790	10,444

[2] Includes a revision under sec. 9 of the concurrent resolution on the budget.

Notes.—Amounts in parentheses are negative. Detail may not add due to rounding.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. The Chair notes morning business is closed.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT FOR FISCAL YEAR 1994

The PRESIDING OFFICER. Under the previous order, the hour of 11:30 having arrived, the Senate will resume consideration of H.R. 2491, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2491) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes.

Pending:

Bumpers Amendment No. 905, to reduce funding for the implementation of the space station program for the purposes of reducing the deficit in the Federal budget.

The Senate resumed the consideration of the bill.

AMENDMENT NO. 905

The PRESIDING OFFICER. The Chair will note the Bumpers amendment, amendment No. 905, is the pending amendment.

Mr. SASSER. Mr. President, was there an order last evening establishing an order of speakers this morning?

The PRESIDING OFFICER. There was not.

Mr. SASSER. I thank the Chair.

Mr. HEFLIN. Mr. President, I rise today in strong support of the space station program. The Senate has voiced its approval of the program on countless occasions and I feel certain we are going to continue to support it. At least I hope so.

I want to be sure it is brought to the attention of the Senate and all who are listening, the strong support the President has given to the space station program. There is a letter addressed to the chairman of the Appropriations Committee, Senator BYRD, by the President, dated September 20, 1993. I ask unanimous consent it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, September 20, 1993.

Hon. ROBERT C. BYRD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I wanted to convey to you my strong support for NASA's space station program as an important science and technology investment for the United States, and as a symbol of peaceful international cooperation.

At a time when the long-term economic strength of the United States depends on our technological leadership, we must invest in technology but invest wisely, making the best use of every dollar. Earlier this year, I directed NASA to redesign the Space Station Freedom program to significantly reduce costs while preserving its critical science and space research capabilities and honoring our international commitments. This initiative includes redesigning NASA itself to improve performance, streamline the bureaucracy, and reduce management costs. As a result, the redesigned space station program—Space Station Alpha—will save more than $4 billion over the next five years and $18 billion over the two-decade life of the program compared with the costs of funding the previous Space Station Freedom program.

Since its inception, the space station program has represented an important international partnership between the United States, Canada, Europe, and Japan. We now have a historic opportunity to include Russia in this endeavor, thereby achieving an important step in putting the Cold War behind us, and adding a positive new dimension

to the development of an international space station. Our cooperation with Russia in space is the leading edge of the new relationship that President Yeltsin and I began in Vancouver—a partnership where both countries can win from working together on projects that will shape the future.

There is no doubt that we are facing difficult budget decisions. However, we can not retreat from our obligation to invest in the future. I believe strongly that NASA and the space station program represent important investments in that future, and that these investments will yield benefits in medical research, biotechnology, advanced materials processing, and other critical technology areas that will create new jobs and improve the quality of life here on earth. It is an investment in tens of thousands of good, high-paying U.S. jobs, an investment in maintaining the strong technology base essential to the economic and national security of this nation, and an opportunity to invest in peaceful international cooperation.

I strongly urge the support of the Congress for this important program.

Sincerely,

BILL CLINTON.

Mr. HEFLIN. Mr. President, there is a strong letter from the Vice President to the Honorable BARBARA MIKULSKI, Chair of the Subcommittee on VA–HUD and Independent Agencies, in which he strongly supports the space station. I ask unanimous consent it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE VICE PRESIDENT,
Washington, September 20, 1993.

Hon. BARBARA MIKULSKI,
Chairman, Subcommittee on VA, HUD and Independent Agencies, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR BARBARA: As the Senate prepares to consider the NASA Appropriations bill for Fiscal Year 1994, I would like to express my strong support for NASA's space station program and for the historic opportunity it represents for international cooperation in space.

The redesigned space station—referred to as Space Station Alpha—results from NASA's intensive review and redesign conducted over the last six months with the help of other government agencies and overseen by a panel of outside experts. Alpha is a streamlined version of the original Space Station Freedom. It incorporates scientific facilities and capabilities comparable to or better than Space Station Freedom but will cost significantly less to build and operate.

The space station program offers an unprecedented opportunity to achieve peaceful international cooperation in space. In accordance with longstanding international agreements, the space station will be build and operated as an international partnership among the United States, Japan, Europe, and Canada. Now, with the recent Joint Statement on Cooperation in Space between the United States and Russia, planning has begun to include Russia in the space station as well. Russian participation in this international program offers the potential of reducing the space station's costs and increasing its capabilities.

Russian Prime Minister Chernomyrdin and I, under the auspices of the joint commission that we chair, have directed NASA and the Russian Space Agency to continue studying ways to incorporate Russia's space capabilities into the station for the mutual benefit of our countries and our international partners. It is our goal that the space agencies of the United States, Canada, Japan, Europe, and Russia work together to produce a more detailed plan by November of this year for Russia's participation in the international space station.

It is important to realize that this initiative on space cooperation fits into the context of a much larger partnership with Russia, a relationship that will define the post-Cold War era. Our negotiations in preparation for the first Gore-Chernomyrdin Commission meeting in early September also produced a key understanding that Russia is committed to adhere to the guidelines of the Missile Technology Control Regime (MTCR), one of the most important international regimes for the nonproliferation of weapons technology. This MTCR commitment is a strong signal that Russia is prepared to be a consistent and responsible partner, one we can work with over the long term.

The President and I are committed to the Space Station Alpha program as a national science and technology priority. We are also enthusiastic about the opportunities that we see emerging in our program of space cooperation with Russia. We hope that you will join us in fully supporting these efforts.

Sincerely,

AL GORE.

Mr. HEFLIN. Mr. President, I spoke last evening about the space station. It was about 9:30 or 10 o'clock, and I realize many staff members who are following this debate were not present since it had been announced there would be no votes. And the same is true of several Senators. I know there are numerous staff members who are following this debate very closely, who are watching on television, as well as Senators and others who are not in the Chamber. I, therefore, want to mention a couple of things I think are important, but try to refrain from being too repetitious.

No. 1, this amendment to kill the space station directs the funding toward deficit reduction. In my judgment, if the space station is defeated and terminated, the amount of money will not go toward deficit reduction. The House has already passed the appropriations bill that approves the space station and funds it at the amount requested by the President, and that is what is in the bill before us here today. Even if the conference committee were to yield to the Senate position to terminate the program, in all reality, with all pragmatism, we know what would happen. The amount of money that is included will be divided among other agencies and departments that are in this appropriations bill. There will be many causes, many just causes that need money that will get money. It will not end up going toward deficit reduction. I am sure the intent of those offering the amendment to terminate it is that it would go there, but for all practical purposes let us be realistic about it. It will never go toward deficit reduction at this time.

There has been some discussion about the President and the redesign. When President Clinton entered office, he looked at everything. Originally they talked about terminating it. Frankly, I got worried during the February recess that it might be terminated. I stayed and canceled my February recess to work with the administration, OMB, and others, to see that we continued the important project. After careful consideration from various sources, the President concluded the proposed Space Station *Freedom* was too costly and it had to be redesigned. He gave direction that a redesign had to occur.

The Vest Commission, the President of MIT, studied this and came up with a new design based on the President's guidance that the cost of the program not exceed $2.1 billion per year.

The lastest factor to be introduced was that of Russian participation. This is a complicated issue, involving nuclear proliferation and the sale of weapons technology to Third World nations including India and possibly some nations that we have classified as terrorist nations.

Again, from a cost perspective, various elements of the Russian space program could be used. They have a tug which could be used effectively. The question arose that perhaps their old space module, or a new one of their design, could be used. But I do not believe the administration is going beyond the cost caps that it has placed on station regardless of Russian involvement .

The space station is designed with sufficient flexibility so that any addition which might come from the Russians can be plugged into the present space station *Alpha* design, which was recommended by the Vest Commission.

One of the strong reasons why I support the space station is because of the scientific research that can occur in microgravity. There are basically two principles that attract me: One is crystallography, and the second one is electrophoresis. Crystallography is the study of various crystals and the aspect that is so important is that at microgravity, you can grow these crystals much larger than you can on Earth and you can grow them in a manner by which you have propagation in all three dimensions. On Earth, you can grow protein crystals, but they are typically small and do not fully resemble natural structures. It is important to grow a crystal large enough to where it can be carefully examined, certainly under a microscope and otherwise, to determine how the crystal operates. And it is so important as we endeavor to try to find cures for diseases.

The second aspect of microgravity research in space that interests me is known as electrophoresis, and that is the separation of the cells into the smallest integral parts. Using these two concepts, crystallography and electrophoresis, microgravity research

has the potential of finding cures for many diseases. Already we have grown cancer cells and we have grown AIDS cells. This has been done on the shuttle thus far, but the shuttle is insufficient because of the limited time that it is in space. We need a permanent laboratory where you can watch and can determine for several weeks and months at a time the growth and development of the cells and crystals in these experiments.

In regard to medical applications, I said last night, and I will repeat again, I am probably the Senate's No. 1 example of the benefits from the space program. I happen to have had some heart problems a few months back. And on three different occasions, I had an angioplasty, which is the balloon aspect of opening up an occluded artery, an artery that is clogged up. The imaging technology that makes the use of this device possible was developed as a result of the space program.

Another aspect that came out of the space program and has helped Members of Congress, perhaps even some Members of the Senate, is the device that regulates your heartbeat to prevent heart attacks. This is a device attached to the heart that uses an electrocurrent modulated by feedback from the heart muscle itself.

There are numerous other scientific discoveries that have come out of space research. There is no question that the cumulative benefits that have been derived from the space program outweigh those of any governmental program that we have ever had. For example, digital technology and satellites have produced jobs and generated revenue far in excess of what has been spent on the space station. I am told that the return on investment for space research is near 10 to 1.

Recently, a noted scientist, Dr. Jeanne Becker of the University of South Florida's Department of Obstetrics and Gynecology, spoke to a congressional luncheon on the important role that the space program can play in providing cures for a number of diseases that affect women. I would like to take a moment to discuss some of the new scientific developments that she spoke about.

Scientists like Dr. Becker have just recently become aware of the exciting potential of microgravity research through the use of microgravity tissue culture vessel called a rotating wall vessel. This device was designed by scientists at NASA so that cells could be carried aboard the shuttle.

In the unique environment developed in this device, cell growth occurs in three dimensions, just as they grow in the human body. Traditional tissue culture methods allow only two-dimensional growths. The importance of this development is that by growing tumor cells in a way that duplicates the way they grow in the human body, scientists gain a more authentic model on which to test cancer drugs. Dr. Becker's own research has concentrated on ovarian and breast cancer.

Other scientists across the country are doing important work making use of this NASA microgravity device. Researchers in Texas are using the device to study bowel cancer; a group in Delaware is using it to study heart muscle growth, and I say to the distinguished Senators from Massachusetts that scientists from their State are making use of the microgravity device. Harvard scientists are using it to grow samples of cancerous colon cells. At MIT, the device is being used by researchers to grow cartilage cells for use as implants.

In both cases, these Massachusetts scientists learned that cells grown in this way are far superior to those obtained through conventional cultured methods. The technique has only one major shortcoming, a shortcoming which we will now soon take action to overcome. Tumor cells grow very slowly and for this work to progress, these scientists need a permanent space platform that provides long duration microgravity conditions. To quote Dr. Becker:

> Long-term, large-size cellular development can only be achieved by the microgravity conditions provided by the space station.

I want to add that many other medical researchers are also excited by the potential of the space station. At Walter Reed Army Institute of Research, scientists have found that bone cells grow but do not harden under microgravity conditions. This behavior mimics that of osteoporosis, that is the disease where the bones become hard and brittle and so many old folks have broken bones by falling, for example, to point out what happens in regard to osteoporosis. This disease affects currently over 25 million Americans. Scientists at Walter Reed hope that by studying bone changes that occur in microgravity, they will find new methods to slow or cure this degenerative disease.

In my own State, researchers at the University of Alabama in Birmingham are playing the leading role in space crystallography. This technology used to grow protein crystals seems destined to revolutionize biomedical and agricultural research. Proteins are one of the basic substances that animals and plants need to grow, reproduce, and resist diseases.

Understanding these substances and the way they react is an essential first step in creating new medicines and agricultural products. Because individual protein molecules are too small to see, scientists have begun to grow protein crystals to learn about their functions and their structure. To determine the structure of individual protein molecules, however, scientists need crystals far more perfect than those that can be grown on Earth.

NASA has begun an ambitious program to grow these crystals in space. The extremely low gravity and controlled environment that the space shuttle operates in provides near perfect conditions for these experiments. Protein crystal growth experiments are being flown in the middeck of the space shuttle. Upon their return to Earth, the newly formed crystals are analyzed using x-ray diffraction and then modeled on computers to create three-dimensional images. Studying these images, scientists are better able to understand the interaction of these complex molecules and use this knowledge to engineer new drugs and agricultural products.

Among the most recent achievements of this technique is the determination of the three-dimension structure of an enzyme which shows promising potential in the design of cancer and AIDS chemotherapy and the suppression of the human immune system during transplants.

Mr. President, I must say there are some problems with using the shuttle for performing crystallography experiments. First, due to limited space and equipment on the shuttle, only a small number of experiments can be performed on any given mission. This problem is compounded by the difficulty in predicting the proper solution concentration that will result in accelerated crystal growth.

The most serious limitation of the shuttle is, however, the relatively short period of time it spends in space. For example, the current mission is scheduled to last 13 days which strictly limits the types of protein crystals that can be grown.

Mr. President, I must say that there are some problems with using the shuttle for performing crystallography experiments. First, due to limited space and equipment on the shuttle, only a small number of experiments may be performed on any given mission. This problem is compounded by the difficulty in predicting the proper solution concentration that will result in accelerated crystal growth. The most serious limitation of the shuttle is, however, the relatively short period of time it spends in space. For example, the current mission is scheduled to last 13 days, which strictly limits the types of protein crystals that can be grown. Growing crystals is a time-consuming procedure and some promising proteins take months to grow in the best of conditions. If we are to pursue this technology more effectively, we need a research platform permanently stationed in space, we need the space station.

I hope my colleagues that support high-technology research like space crystallography fully realize that this work cannot grow to its full potential without a permanently manned platform in space.

INTERNATIONAL ASPECTS

The space station is not just an American program, though as the world's only superpower we are certainly the leading player. Japan, Canada, and 10 European nations have been active partners in this bold endeavor, and it is likely that the Russians will also be joining the international team. Building the space station will be the biggest technological endeavor ever undertaken among nations, and will make it a prototype for future international projects in science and technology on the ground and in space.

The involvement of the Russians in the space station program will be a dramatic step. Not only will this program go far in improving relations between our countries, it could also help ensure the future security of both. Part of the rationale behind having the Russians team with us on station is to provide them with a project that will keep their space program viable and scientists employed without having them resort to foreign sales to raise capital, such as the proposed sale to India.

President Kennedy, who during the Cuban missile crisis came face to face with the danger of nuclear conflict with the Russians, prayed for a different world where the scientists of these two great nations could work together for the benefit of mankind. Thirty years ago he said:

> Let both sides seek to invoke the wonders of science rather than its terrors. Together let us explore the stars, conquer the deserts, eradicate disease, tap the oceans depths * * *.

Today we can make President Kennedy's dream a reality. Our scientists at NASA are poised to work hand in hand with their Russian counterparts to build the space station, mankind's first permanent habitat in space. But perhaps there are no visionaries left among us. Perhaps the days of dreaming of a brighter future are dead, killed by the worries of day-to-day existence. It is true that the recession, unemployment, rising crime, and the other social ills that now beset this country have made it hard to look up, to see the light at the end of the tunnel.

But it is precisely at times like these we need a challenge that when met, makes us proud of ourselves and our country. Space station is a project that will demonstrate our confidence in mankind and it will reaffirm that while we toil to overcome the problems that challenge us today, we are preparing for the challenges of tomorrow.

COMMERCIAL SPINOFFS

Mr. President, research in space has yielded over 30,000 commercial spinoffs in a broad range of areas including: Computer technology, industrial productivity, environmental sciences, public safety, and transportation.

In the area of environment and resource management, spinoffs from NASA include a new meteorological instrument used to predict the onset of severe storms and tornadoes, soil surveys for the Department of Agriculture using ground-penetrating radar, and a new wastewater treatment system for private homes.

In the area of industrial productivity, spinoff technologies include microlasers used in new communication systems and medicine, high temperature composite used in aircraft engines, ruggedized minicameras and specialized dry lubricants.

In transportation, spinoffs include new computer software used in designing safer, cheaper automobiles, longer lasting brake material, and new material used in radial tires that should increase their life by as much as 10,000 miles.

Again, all of these are spinoffs, inventions that no one predicted. They occurred because NASA is constantly pushing technology to its limits to meet the challenges of space. Today, the scientists at NASA and at universities across the country are pushing the limits to meet the challenges of the space station. No one can predict what new technologies we will gain from the space station, but I am certain that if we kill this project today, we will lose an important bridge to our future.

MISCONCEPTIONS

This program easily stands on its own merits, and its opponents have consistently relied on distorted or incorrect information to create a number of damaging misconceptions concerning the space station.

I have heard some say that it is too expensive and we cannot afford it at this time, as if the station alone is responsible for the deficit. The truth is that space station funding represents about one-tenth of 1 percent of the Federal budget and NASA itself represents far less than 1 percent of the Federal budget. Moreover, the key to America's long-term economic growth is improving productivity through investment in research and development programs like NASA.

One of the most popular misconceptions I have heard voiced is that the space station is squeezing out other small science programs. The truth is that the space station program is growing at a lower rate than the rest of the science budget and its main purpose is to serve as a platform for thousands of future low cost, high payoff small science projects. In 1992, space station grew by 6 percent, space science and applications grew by 10 percent and the National Science Foundation [NSF] by 14 percent. In fact, in the 5 years since space station contracts were awarded, the science budget has grown by 77 percent. In the final analysis, without the space station's unprecedented abilities and resources, students and commercial users will find that small science projects will continue to have very limited access to space.

I have heard some of the proponents of this amendment say that cancellation of the space station program will reduce the deficit and send a strong message to the American people that we are serious about solving this country's problems. They could not be more wrong. I agree canceling station will send a message; the American people would get the wrong message that we have no idea what we are doing.

The loss of the space station's science, research, and employment opportunities would certainly send the wrong message to the youth of this country about the importance of math and science and engineering education. It would also send the wrong message to our international partners and the rest of the world about how seriously we take our international commitments. Finally, canceling station would send the wrong message to the thousands of defense engineers and scientists trying to transition to other areas of work. I have recently heard predictions that the cutbacks in defense next year will result in another 25,000 layoffs. These are some of our finest engineers and scientists and they deserve the opportunity to put their skills to use. Many of the opponents of the space station support the idea of defense conversion, but don't seem to recognize it even when it is staring them right in the face. NASA is defense conversion. NASA needs these men and women, just as they need the opportunity to work on challenging programs that will carry us into the next century.

There is also a misconception that station's cost has skyrocketed from $8 billion to $118 billion. I believe space station opponents have inflated the program's cost figures to create a shock effect. This is a huge and complex program, and some cost growth is expected. The $118 billion cost estimate is derived by projecting the cost decades into the future in an effort to make the present cost seem unacceptable. By analogy, the average voter would never pay over $64,000 for a $12,000 car. But if you priced out how much this car would cost if you operated it for 30 years, you would be lucky to spend less than this amount. Station opponents use this same twisted accounting to inflate the station's cost.

The final misconception I would like to address is the charge that space station is only a shadow of its former self and is irrelevant to real science and economic competitiveness. The truth is that the space station will be an international laboratory with unprecedented capability for scientific research and technological development that cannot be duplicated on Earth.

If the space station does not continue as planned, the United States will be deprived of a national laboratory in space that will not only facilitate our future manned space program, but also

provide the opportunity to do basic scientific research that will lead to new processes and medicines on the Earth that will cure diseases and make the United States more competitive internationally. Cancellation would result in tens of thousands of America's finest engineers and scientists losing their jobs. We simply cannot allow this to happen.

The Senate has passed countless pieces of legislation and Sense-of-the-Senate resolutions supporting the space station. I am confident that we will continue to support this program as we have for the past several years. If the United States wishes to remain the world leader in science and technology we can do no less. Mr. President, I therefore urge my colleagues to defeat the proposed amendment to terminate the space station program.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. I thank the Chair.

Mr. President, I rise as a member of the HUD–VA Subcommittee on Appropriations to support the space station.

Mr. President, as we look at what we are doing as a nation, I think we have to work to our long suit, not work to our short suit, and much of what I see happening back here is we are suddenly retrenching and looking at America's shortcomings rather than what we do really well.

I submit to you that what this country does really well is develop the technology of the future, and the space station offers us the opportunity, the greatest opportunity we have, to be a major player, in fact the world leader, in developing the technology of the future.

I say, after we have already invested $10 billion, after we have already made that investment, to change course, to put our head in the sand, to say that we are going to forget about the fact that we are a leader in science and technology, is just to capitulate to what all of our competitors want us to do, to show us that America does not have the resolve, we do not have the commitment, we do not have the political will to do what we do best in the world.

What we do best in the world is increase man's knowledge, increase our scientific know-how, and produce the kind of technology that, as the experts have estimated, for every $1 billion we spend on space research and development, we will throw off $7 billion in commercial application and technical know-how.

The total budget of the space station has been reduced by 16 percent, from $25 billion to $21 billion, and it has today the same amount of science than it did before the redesign.

It seems to me that if we want to retain the world leadership, if we could reduce costs by that much, this is a totally worthwhile mission.

Let me speak about its economic mission for a moment. We have all been on this floor—yesterday, I tried to stop base closures. I was run over by a roller coaster. We lost tens of thousands of jobs in the decision we made yesterday. Today, in this decision to fund the space station, we can generate 75,000 direct and indirect jobs nationally. In my own State, it means 12,500 jobs—5,000 jobs direct. A multiplier factor of 2.5 equals 12,500 jobs in the State of California, where 1.4 million people are unemployed today—for a mission that is worthwhile.

Now, let me talk for a moment about the mission that is worthwhile, and let me submit that mission in 10 brief points, 10 points of mission, of payload, of throwoff, of scientific technology, of improvement in man's knowledge.

First, a continuous, stable, low-gravity environment is expected to yield many new developments in materials, electronics, medicine, and the treatment of disease. Again, $1 of investment yields $7 in productive commercial application.

Second, the space station will help prepare future astronauts for the rigors of long-duration space travel. Just as every youngster looked at Batman, looks at Superman, space becomes the kind of harbinger of the future, the thing to look forward to, to aspire to be an astronaut, to probe the heavens, to see what is out there. This is part of life. This is part of living. This is part of the future.

Third, research will help develop new communications systems, improve computer memories, sensors, and solar cells.

Fourth, microgravity research will increase the quality of life on Earth by helping in the development of new pharmaceutical products and the enrichment of protein in some foods.

Fifth, more perfect protein crystals can be grown in the space station that could lead to treatment for cancer, AIDS, emphysema, and high blood pressure; increase the success of organ transplants; and enhance protein nutrition in some foods.

Sixth, by studying combustion without the effects of gravity, we can gain a better understanding of the entire combustion process that could lead to advances in propulsion, in energy, in explosion control, in fuel burning efficiency, and in fire safety.

Seventh, earthquake prediction could be improved through research conducted on the space station. Astronauts could study and correct sensors that would later be placed on satellites.

Eighth, women's health, which Senator HEFLIN spoke about, could be improved through space station research, such as new treatments for breast cancer, endometriosis, and osteoporosis.

Ninth, by improving crystal growth on the space station, the United States will be able to make better semiconductors and electronic circuits.

The final, 10th point is gravity affects the flow of blood in a body and the growth of bones. Through space station research, we could develop cures for high blood pressure and bone disease.

Mr. President, just in conclusion, the only question I believe that exists about the space station is whether it is launched at an orbit of 28 degrees or 51.6 degrees. The lower orbit, I am told, the 28-degree orbit or inclination, is sufficient for all of the scientific research. In other words, all that research can be done at 28 degrees. The higher orbit, of course, gives us the ability to lock onto the Russian space station. The 28 degree orbit only gives us the opportunity to observe one-third of the Earth, mostly water. The 51.6 orbit would give us the opportunity to observe the entire Earth and do those kinds of geologic studies, take those kind of photographs that might, for example, enable us one day to predict earthquakes. A major earthquake is going to come for sure in my State with probable great loss of life and property. The space station at the higher orbit, not only in conjunction with the Russian satellite but alone, could give us the opportunity to make some definitive geologic studies from space on fracture zones, on plate movement, and perhaps enable us to increase earthquake predictability.

So, in conclusion, Mr. President, as a member of the subcommittee, I would like to give my strong support scientifically, economically, and socially for the space station, and my hope is that this Senate will vote to appropriate the necessary funds.

Mr. President, I ask unanimous consent to have printed in the RECORD my letter of February 9 to the President of the United States in support of the space station, and a more defined NASA white paper on the benefits of research on the space station.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, February 9, 1993.

Hon. BILL CLINTON,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: I am writing as a follow-up to my previous letter of February 5 in strong support of continued full funding for Space Station *Freedom*.

Space Station *Freedom* is an integral part of the United States' civilian space program and is vital to continued manned space exploration. When considering your budget request to Congress, please keep in mind the following significant benefits that Space Station *Freedom* will provide:

Space Station *Freedom* Is Defense Conversion in Progress: With the end of the Cold War and reductions in defense spending, the U.S. civilian space program offers an opportunity for the defense industry to utilize its

high-skilled labor force and advanced technology for civilian uses. As you stated in *Putting People First*, increased investment in the civil space program will "create new jobs for our highly skilled former defense workers, and increase our understanding of the planet and its delicate environmental balance."

Freedom Provides Important Contributions to Science: Entire industries and new technologies have been spun-off from the civilian space program and advances have been made in the fields of medicine, manufacturing electronics and communications. In addition, research that would take place on the Space Station could lead to cures for life-threatening diseases, lower pharmaceutical costs, and better prepare astronauts for the rigors of space travel.

The Space Station Is An In-Place Economic Stimulus: Nationally, 75,000 people are employed in Space Station related jobs. In California alone, over 10,000 jobs, mostly high-quality and high-skilled, have been created and over $5 billion in spending is directed at the State.

Space Station *Freedom* Is a Revenue Enhancer: Historically, there has been a return of over $7 to the private sector for every $1 the U.S. has invested in space research and development. According to a study by Management Information Services, in 1986 alone, the NASA procurement budget generated $17.8 billion in total industry sales, $2.9 billion in business profits, and $5.6 billion in government tax revenue. As the core of the civilian space program, the Space Station plays a vital part in NASA's overall economic impact.

Freedom helps protect U.S. Global Competitiveness: The U.S. civilian space industry is a notable exception to the decline of America's competitiveness in the global marketplace. As Vice President Gore stated, "the aerospace industry is our last surviving jewel." Aerospace manufacturers accounted for 10 percent of all U.S. exports in 1990 and the industry's trade surplus was $27 billion in 1991.

Space Station *Freedom* Represents an International Commitment: As you recognized in *Putting People First*, "by organizing effectively on [the Space Station], we can pave the way for future joint international ventures, both in space and on earth." *Freedom* represents the largest international research and development project ever undertaken. Japan, Canada, and Europe have already invested nearly $3 billion in the program and are continuing to spend significant percentages of their national budgets on the Space Station.

The Space Station is Next Step in NASA's Space Mission: With the knowledge and expertise accumulated over the last decade of successful shuttle missions, Space Station *Freedom* represents the crucial next step in building a space infrastructure for the future. *Freedom* is a symbol of this country's continued leadership in space exploration.

As you can see, Space Station *Freedom* offers significant benefits to our Nation, including technological advances, new research opportunities, opportunities for continued space exploration, and many others. In addition, *Freedom* is vitally important to the economy of the State of California and the entire country.

I am aware of potential cost overruns associated with the Space Station project, but I understand the program is on track and on time. More than 50 percent of the Space Station is already complete with less than half of the total development costs spent. Through corrective measures and proper management, I am confident that Space Station *Freedom* can be a cost-effective and viable part of the U.S. civilian space program.

Mr. President, I urge you to include continued full funding for Space Station *Freedom* in your FY 1994 budget. I realize that cuts in government spending are required, and I fully support efforts to trim unnecessary expenditures and waste. However, Space Station *Freedom* is an important part of the United States' civilian space program and is critical to California's economy.

Sincerely,

DIANNE FEINSTEIN.

THE BENEFITS OF RESEARCH ON SPACE STATION FREEDOM

Space Station Freedom will be an unprecedented facility for first-class basic and applied research in life sciences; microgravity materials, fluids, combustion and biotechnology research; and technology development. This research is directed towards expansion of scientific knowledge, our commitment to improve the quality of life on Earth, and our national goal of world leadership in space exploration.

Scientific and technological research on Freedom will commence in the mid 1990's. When Freedom becomes permanently occupied, the station work environment will be analogous to an Earth-based laboratory, within which investigations will be expanded in number and complexity. Specific research plans and potential benefits are described below for several areas of study. Because of the diverse nature of the research which will be conducted on Space Station Freedom, no one can exactly predict the exciting knowledge and benefits which will be realized in the next 30 years.

EXPERIMENTS TO BENEFIT PRESENT MEDICAL RESEARCH AND FUTURE LONG-TERM SPACE FLIGHT

From our current vantage, it is difficult to identify all of the potential benefits of doing biomedical research in the microgravity environment. However, because of the very fundamental role gravity plays in both physiological and physical systems, research performed on Space Station Freedom will provide a unique window into the function of these systems. In the area of biomedicine and biotechnology, the pervasive effects of gravity on human physiology will be absent in the microgravity environment providing a powerful tool to explore human physiological function, with both near- and long-term benefits.

The potential benefits to the terrestrial medical community, because of a better understanding of the mechanisms that underlie space flight deconditioning, promise to be significant. One of the health hazards of long-term space flight is bone loss induced by the absence of gravity loading of the skeletal system. This loss bears certain similarities to osteoporosis. Space sciences research is targeted at determining the mechanisms of bone loss in space that could assist in the search for new and better treatments for bone loss on Earth. An understanding of the immune system compromise in microgravity may help elucidate the cause or potential treatments for a number of common diseases that involve immune suppression or autoimmune (against self) reactions. Examples of these diseases include rheumatoid arthritis and Lupus. Both clinical research and basic research conducted in space flight could help in the ongoing quest to identify the definitive cause of malignant diseases.

OPERATIONS AND MAINTENANCE TECHNIQUES, AND LOGISTICS SUPPORT

Space Station Freedom will provide valuable information on the operation and maintenance of a large space vehicle. Human factors research on the human-machine and human-robot-machine interfaces has significantly influenced the systems designs and the development of operations techniques. These designs and operations techniques will provide command and control concepts that may involve numerous ground-based and on-orbit personnel, systems and interfaces. The designs and operations techniques are being implemented to allow evolutionary charge as we gain experience. Actual Space Station operations will demonstrate these concepts, permit their evaluation and guide their enhancement for the Space Station itself and for their specification when applied in future longer duration space flights. The Space Station will provide the quintessential testbed for validating and guiding new development of these operations and logistics support concepts.

DEVELOPMENT OF SUPPORT SYSTEMS TO BENEFIT LONG-TERM HUMAN SPACE EXPLORATION

Long-term space flight will require systems that are compact, lightweight, energy efficient and reliable. Space Station Freedom's systems are being designed to meet these requirements. Examples of technologies and systems that will be advanced by Space Station Freedom's development and operation include environmental control and life support; power generation, storage and management, and thermal control.

Space Station Freedom will advance environmental control and life support technologies through development of closed-loop air revitalization systems for crew breathing, closed-loop water regeneration systems for drinking and washing, and environmental contamination control systems to ensure a healthy environment. Many of the sensors and process technologies that are being developed for Freedom's life support system have potential for future Earth-based applications in environmental monitoring and control. Indoor air quality, a significant problem in many office buildings and industrial settings, could be monitored and controlled through the application of sensors and technologies derived from Space Station Freedom's life support system.

Freedom's power generation and storage system will be the largest capacity space power system ever flown. Energy storage, for use when Freedom is in the Earth's shadow, will be provided by high capacity nickel-hydrogen batteries, with the largest power storage capacity produced to date. They represent an advancement in the state-of-the-art through their ability to be frequently discharged and recharged over many thousands of orbits while retaining their original high power output levels. High efficiency solid-state remote power controllers are being developed for the Space Station. Besides having applications on future spacecraft, these technologies can also be applied to terrestrial power systems.

Freedom's thermal control system will employ improved active cooling technology and will utilize a two-phase ammonia cooling system with deployable and articulated radiator panels. The thermal control system will transport the heat generated in the pressurized modules and radiate it to space. Freedom's thermal control system will be designed to have high cooling efficiency, low power consumption, high reliability and long life. This technology could be used to improve the energy and cooling efficiencies and reliability of cooling systems here on Earth.

STUDIES OF ORGANISMS, PLANS AND ANIMALS IN LOW GRAVITY TO BETTER UNDERSTAND LIFE

Gravity plays a key role in the development of most, if not all, biological systems. The opportunity to examine microorganisms, plants, animals and humans in a low-gravity environment is unprecedented in the history of biology. Experiments will focus on identifying the organ or site of gravity reception; on determining the effect of gravity on reproduction, development and evolution; and on investigating physiological responses to low gravity. Research will take advantage of a large centrifuge which will provide controlled levels of gravity for the experiments.

EXPERIMENTS ON GROWING PLANTS IN SPACE TO BENEFIT ENVIRONMENTAL TECHNOLOGIES

For long ventures in space, the resupply of life-sustaining materials from Earth could be impractical, both technologically and financially. Extended Space Station missions, or longer term human expeditions to the moon or to Mars and beyond, will need to somehow be provided with life-sustaining materials (air, water and food). The feasibility of generating these materials on board will be investigated on Space Station Freedom. NASA is developing Space Station Freedom payloads which will provide environments for the growth of plants in space. Plants not only provide organic materials that can be used as a food source, but, in addition, they release oxygen, absorb carbon dioxide, transpire moisture than can be condensed for use as potable water, and utilize waste products as nutrients. Therefore, this research offers a unique vehicle for investigators to explore plant growth and development while isolating the effect of gravity from other forces, such as temperature changes and lighting. Two significant by-products of this research are technologies that enhance the yield and quality of crops, and new technologies for water pollution control and waste disposal.

CRYSTAL GROWTH AND SOLIDIFICATION RESEARCH AND ELECTRONIC AND PHOTONIC MATERIALS, METALS, ALLOYS, GLASSES AND CERAMICS

Onboard Space Station Freedom, detailed scientific research in the area of semiconductors, metals, alloys, composite materials, glasses and ceramics will be explored. Furnace facilities will be installed to expand our knowledge in a wide variety of materials with broad potential applications. These applications include new optical communications systems, improved computer memory technology, improved sensors and solar cells, and optical storage media for commercial and defense applications.

PRODUCTION OF CRYSTALS FOR WIDE RANGING COMMERCIAL APPLICATIONS

Commercial organizations are planning research into the production of zeolites on Space Station Freedom for a wide range of industrial applications. Zeolites are crystals with microscopic tunnels which allow them to be used in many industrial processes which involve filtering. They are also used widely as catalysts to initiate or control chemical reactions. Industrial users of zeolites include the chemical industry for such applications as petroleum refining and waste management, and the biomedical industry uses zeolites for purification of fluids. Zeolites are also used in life support systems, such as the planned usage in the Space Station Freedom air revitalization system.

The ultimate goal of zeolite synthesis in space is to grow larger, more uniform zeolite crystals. Many industries, including the chemical processing industry and biotechnology/medical industry, will be interested in these crystals, particularly if they can be grown in significant quantities. The space-grown zeolite crystals could result in the development of portable kidney dialysis machines; improve industrial chemical processes; and improve radioactive waste cleanup by extracting radioactive elements through their ion exchange capability.

SPACE TESTING OF INTEGRATED CIRCUITS TO BENEFIT PRESENT GROUND-BASED RESEARCH AND FUTURE LONG-TERM SPACE FLIGHTS

Technologists will study the behavior of integrated circuits in the space environment where radiation such as cosmic rays can cause failures (upsets) in the circuits. These upsets could jeopardize critical spacecraft functions. Experiments will be conducted to establish cause and effect between radiation and circuit failures and to evaluate the circuits' ability to recover from upsets (fault tolerance). While the incidence of cosmic ray induced upsets is low on Earth, large-scale computer systems may also be affected by this radiation. The results could be used to improve the reliability and fault tolerance of integrated circuits in spacecraft and may be applicable to large-scale Earth-based systems, as well.

GROWTH OF HIGHLY ORDERED PROTEIN CRYSTALS FOR STRUCTURAL BIOLOGY AND POTENTIAL DEVELOPMENT OF NEW PHARMACEUTICALS

Protein crystals will be grown in the low-gravity environment of Space Station. Space grown crystals will be analyzed to determine their three-dimensional molecular structure and identify active sites on these molecules where the actual function of the protein is performed. This information is used to design pharmaceutical compounds which will inhibit or enhance the action of a specific protein in the body, plant system or chemical system. Some of the potential applications are the development of systems and products to potentially treat diseases such as cancer, immune deficiencies, emphysema, and high blood pressure. Other potential benefits are products which will increase the success of organ transplants and implants, the development of pesticides to enhance crop development, and the enhancement of protein nutrition in some foods (of particular interest to developing nations). Many companies are making use of the knowledge gained from this basic research, presently being performed on Shuttle flights.

SPACE-BASED GROWTH OF CELLS, PROTEINS AND OTHER MOLECULES BY COMMERCIAL ORGANIZATIONS COULD YIELD NEW AND BETTER MEDICINES

Commercial organizations are developing a payload that will provide a controlled environment for experiments related to microorganisms, cell and crystal formation research. Temperatures within the device will be adjustable so that researchers can provide a suitable environment for the growth and development of bacteria and other cells, as well as for proteins and other molecules. This work is crucial for long-term space habitation research into topics as diverse as waste treatment and mammalian growth and development. On Earth, this work means that our scientists will be offered a controlled environment for the growth of specific molecular and macromolecular compounds, and pharmaceuticals. New type of cells, via space-engineered organisms, may yield new by-products with a wide range of applications.

GROWTH OF CELLS AND TISSUES FOR SCIENTIFIC AND BIOTECHNOLOGY APPLICATIONS

In Earth-based laboratory research, cells are placed in solutions which are circulated at a very slow rate so that the cells receive their necessary nutrients. This technique simulates low gravity by keeping the cells or tissues gently suspended. Recent results indicate that such suspensions of cells promote development of three-dimensional tissue. Space Station Freedom will provide scientists with an unprecedented environment for the study of growth of normal and cancerous human tissues outside the body. In the low-gravity environment of Space Station, cells will remain suspended in the solution. This could become an invaluable tool for gaining important information in medicine and the biological sciences. The knowledge gained through this research may then be used to develop new medical technologies.

SEPARATION AND PURIFICATION OF BIOLOGICAL MATERIALS TO BENEFIT DEVELOPMENT OF PHARMACEUTICALS

Commercially oriented research is being planned with the process of electrophoresis. Electrophoresis is a ground-based process which will be explored for use in space to separate components of biological materials for the development of pharmaceutical products. If successful, this process could be used by pharmaceutical companies in the development of such products as growth hormones for the treatment of impaired growth and stature-related problems in children; beta cells which are being explored as a potential single-injection treatment for diabetes; and epidermal growth factor products for the treatment of burns and wounds.

RESEARCH ON STRUCTURAL DYNAMICS AND SPACECRAFT MATERIALS TO ENABLE LONG-DURATION MISSIONS

Future planetary exploration or the development of bases on the moon or Mars will require spacecraft and systems that are larger and more complex than any existing space platforms. This will include the structural components of the vehicle itself, as well as large-scale antennae and solar panel structures that will be required. In order to ensure that these vehicles and systems perform acceptably, we must understand the dynamic behavior of very large-scale structures in space and devise technology to control their dynamic response. Space Station Freedom will provide the first opportunity to verify dynamic models of a large space vehicle, on-orbit, over an extended period of time. These models will provide the basis for the design of future spacecraft. Additionally, characterizing the dynamic response of the Station will provide valuable correlations between the Station dynamics and payload behaviors and insight into the impact of reboost on structural components.

With plans for extended space missions on Space Station Freedom and other long-duration spacecraft, the impact of the space environment on spacecraft materials and coatings must be understood, and new materials must be tested in the space environment. The results of the Long Duration Exposure Facility (LDEF) experiment (1985–1990) indicated significant changes in the composition and functionally of materials and coatings after prolonged exposure to atomic oxygen and cosmic rays in space. Space Station Freedom will allow samples of new materials to be tested in orbit as they are developed on Earth.

NOISE AND VIBRATION RESEARCH TO IMPROVE WORK ENVIRONMENTS IN SPACE AND ON EARTH

Engineers will develop the technologies and methods required to design and operate

the Space Station. One example is technology to ensure acceptable levels of vibration and noise exposure to the crew, Station experiments and systems. Approaches and technologies for improving the research and living environment on Space Station will be developed. Applications on Earth may include improved methods for noise and vibration control in industry and transportation.

COMBUSTION EXPERIMENTS TO BENEFIT ENERGY, PROPULSION AND FIRE SAFETY IMPROVEMENT

Combustion involves the release of large amounts of chemical energy. On the ground, gravity causes air currents near flames, feeding the flame with oxygen, and removing heat. Researchers can gain a better understanding of combustion by studying the process without the effect of gravity. Scientists will study how flames spread, smolder and stop. Applications may be found in areas such as energy, propulsion, explosion control, fuel burning efficiency and fire safety.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. BREAUX). The Senator from Tennessee.

Mr. SASSER. Mr. President, I rise in support of the amendment offered by the distinguished Senator from Arkansas [Mr. BUMPERS], the distinguished Senator from Virginia [Mr. WARNER], the distinguished Senator from Maine [Mr. COHEN], and myself to eliminate further funding for the space station.

Mr. President, I am sure my colleagues will recall that, during the recent debate on the deficit reduction bill that occurred here on the floor about 6 weeks ago, many of our colleagues were howling that there were not enough spending cuts in the deficit reduction bill. They were saying, "I would support this bill if there were more spending cuts." In fact, some were coming on the floor with very elaborate charts indicating that there just were not enough spending cuts and that is why they could not support the bill.

They are going to have an opportunity today to put their vote where their mouth was. They said that only a single-minded focus on cutting spending would resolve this Nation's deficit crisis. As I said earlier, the cries to cut spending were ricocheting off the walls of this Chamber out into the Halls and out across the country.

I do not come before my colleagues here today to try to reignite the partisan fire or really to revisit the budget debate. I will say that myself and many of our colleagues on this side of the aisle have a long and documented history of making and recommending specific spending cuts. I will say, as chairman of the Budget Committee, these so-called general cuts, to say we are going to put a cap on this or we are going to make a 2-percent reduction across the board, those things just do not work. What you have to do is recommend and execute specific spending cuts.

We are ready to roll up our sleeves right here today, some of us. I see my friend from South Carolina here, the distinguished chairman of the authorizing committee. I suspect he will join with us. We are ready to roll up our sleeves and add to the $255 billion in spending cuts that were already enacted into law.

It is because I am ready to cut spending further—to cut spending further—today that I support this amendment to terminate funding for the space station. We have heard a lot of discussion here on the floor about the great things, the great scientific achievements that are going to flow from this space station. The truth is, Mr. President, when you blow all of the foam off of it, what you have in this space station is nothing more and nothing less than a jobs bill. It is a jobs bill. It is being supported by many of our colleagues who just a few weeks ago were saying Government cannot create jobs. Now they are coming to us and saying let us keep this project going because we need the jobs, and we are willing to increase the deficit to do it.

That is the bottom line. That is what we are talking about here today. Let me make it perfectly clear that a vote in favor of this amendment will reduce the deficit by $9 billion in outlays over the next 5 years. That is because the amendment that Senator BUMPERS and I are offering directs the Office of Management and Budget to reduce the cap on discretionary spending by $9 billion in outlays that would have been spent on the space station over the next 5 years.

I have heard Senators say on the floor of this body and privately: "Yes, I would vote to terminate the space station if we could actually make the savings, and if we could actually reduce the deficit; but I am not going to vote to terminate the space station because those funds will simply flow into another project if we do not do something about reducing the caps and make sure that the money cannot be spent."

That argument does not hold anymore. They cannot have it both ways. They cannot come in here now and say: "Well, I would have voted to terminate the space station, but if I had done so, they would have simply taken the money and spent it somewhere else."

The vote on this amendment will be whether you want to fund the space station, or do you want to reduce the deficit by some $9 billion in outlays over the 5 years?

So no Senator can come to the floor and claim that a vote to eliminate the space station will not go toward deficit reduction. This amendment will put a lock around all those savings.

I say to my colleagues on both sides of the aisle in a bipartisan way—and this is a bipartisan amendment before this body today, offered by Senator BUMPERS and myself from our side of the aisle, and offered by the distinguished Senator from Virginia [Mr. WARNER] and the distinguished Senator from Maine [Mr. COHEN] from the other side of the aisle—if you are serious about eliminating billions of dollars of wasteful spending, then it is time to saddle up, ride out, and sound the alarm about the dangers of the continued funding of the space station.

I will just say that, sure, it would be nice to have a space station. The Russians have already done it. They are bankrupt. But it would be nice to have a space station if we could afford it. It would be nice to have a lot of things if the budget was in such a shape that we could afford it. But as chairman of the Senate Budget Committee, I have long been concerned about this space station's very enormous price tag. When it comes to cost, you do not need to be a NASA rocket scientist to realize that the space station defies the laws of gravity as the costs keep going up and up and up. Despite several major reductions in its size, its scope, and its complexity, since the program was first announced by President Reagan in 1984, the cost of the space station is still headed literally out of the ionosphere.

Senator GRAMM of Texas made the analogy in his speech last evening that, with regard to redesign of the space station process, it has gone through one redesign after another, after another, after another, each time allegedly reducing it in cost, but also reducing it with regard to its mission.

The Senator from Texas [Mr. GRAMM] said we started out with a Cadillac and ended up with a Chevrolet. But I think we started out with a Pinto and have ended up with a Yugo here today. That is what we have. According to the GAO report issued in May of this year entitled "Space Station: Program Instability and Cost Growth Continue Pending Redesign."

What was sold as an $8 billion project at its inception has escalated to over $40 billion. The total lifetime cost of the space station, prior to the latest redesign effort, was over $120 billion. How in the world colleagues who just a few weeks ago—and I see my friend from Massachusetts on the floor, and he will remember this—were saying that we have to cut spending more, and the reason I cannot support this deficit reduction plan before us is that it does not cut spending enough. How those same colleagues can vote to fund a turkey like this space station that could still end up costing $120 billion over its lifetime is absolutely beyond comprehension.

The majority leader of the U.S. Senate, the Senator from Maine, who is a wise man, once said on the floor of this Senate: "The essence of democracy is accountability."

I ask my colleagues, how are you going to say, "I could not vote against that deficit reduction bill because it did not have enough spending cuts,"

and then come out here on this floor in the light of day and vote for a project that may, even after the latest redesign effort is completed, still end up costing the taxpayers $120 billion over its lifetime? It is a project of very dubious utility that has been redesigned time after time after time, until all of the designs and redesign has designed virtually all of the utility out of its project.

I must say that I fought the President on his insistence on yet another redesign by NASA of the space station. But consider this: The previous scaled down version of the station did not yield any savings. My concern is that when the latest design is submitted, the taxpayers will still find themselves with more than a $30 billion yoke hanging around their necks. And what for? According to many experts, the already scaled down, but still $40 billion-plus space station *Freedom*, would generate very meager and very questionable scientific benefits.

The National Research Council estimated that 87 percent of the so-called microgravity research plan for space station *Freedom* could have been accomplished with either the shuttle or unmanned space vehicles. Mr. President, at a later time, I will go into further detail about the scientific problems with the space station. But the distinguished Senator from Massachusetts is on the floor and he wishes to speak. I also see the distinguished chairman of the Commerce Committee here, and he wishes to speak. I do not want to impose unduly on their time.

I think the time has come for those of us on this Senate floor to make a determination. Do we simply want to talk about reducing spending? Do we simply want to talk about fiscal responsibility? Or do we want to be accountable? Can you actually vote today to save the taxpayers more than $100 billion over the lifetime cost of this program?

I remember what the senior Senator from Texas said when we were debating the deficit reduction bill just a few weeks ago, I say to my friend from South Carolina on this floor, and I want to quote him. This is what Senator GRAMM said: "We want to cut spending first. I for one," he said, "would be willing to work to do that, and I pledge to the President today on just the off chance that we might get an opportunity to put our vote where our mouth is."

So said the senior Senator from Texas. He is going to have an opportunity, Mr. President, either today or tomorrow, along with many others of our colleagues here, to put their money and their vote where their mouth is and let us see if they want to cut spending or if they simply want to act out a charade. Let us see if they are really concerned about the deficit or not, because we are going to have to stand up and be counted on this.

Mr. President, I will yield the floor at this juncture with the statement that I will have more to say later on this subject perhaps this afternoon.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

TERMINATE THE SPACE STATION

Mr. KERRY. Mr. President, I thank my colleague from Tennessee, first of all, for his courtesy and secondly for his leadership on eliminating waste from the Federal budget.

I was most interested in his observation that we cannot afford to continue funding this program if its sole purpose is as a jobs program. Certainly, creating jobs should be our No. 1 national priority, but the space station is not the way to accomplish it.

First of all, it is a grossly inefficient jobs program costing $80,000 to $100,000 per job. Second, it is a grossly unfair jobs program, benefiting only a handful of States but asking all to pay for it.

We heard a great deal from the Senator from Texas and the Senator from California about the benefits of the space station. Well, it is probably not a coincidence that 5 States—among them Texas and California—account for 85 percent of all space station contracts. However, funding for the project comes from general revenues, which means that taxpayers in the other 45 States pay for the jobs created in those five States. In my home State of Massachusetts, for example, firms receive about $600,000 from NASA contracts—so there will be pain in Massachusetts if the space station is terminated. But that $600,000 is insignificant when measured against Massachusetts' share of the taxes that fund the space station—$63 million in 1993. In effect, Massachusetts received a return of one penny on every dollar that we invested in the program.

But the fact that the program is grossly inefficient and unfair as a jobs program is not its only problem. The other problem is that it is not the best use of our tax dollars.

Mrs. HUTCHISON. Mr. President, will the Senator yield?

Mr. KERRY. For what purpose am I asked to yield?

Mrs. HUTCHISON. To answer a question. Is the Senator aware that the citizens of Texas have put $400 million into this project and have $300 million in contracts? I did not know if the Senator was aware of that.

Mr. KERRY. Absolutely, I am aware of that. That is precisely what I am talking about.

The only test of this program is not whether each State gets more or less than it puts in. That is not the issue.

The issue here comes down to the extent to which this space station—and the benefits it might or might not provide—measure up against the other priorities that we are required to choose among in the name of the people who pay taxes.

When you balance the space station's potential benefits against the current reality of the priorities we need to fund in this country, eliminating the space station is not a hard choice.

The experts agree that the benefits from this project simply do not justify its cost. The Institute of Electrical and Electronics Engineers has said:

> We concur that technology developed by the space station may well have commercial applications, but as with the space shuttle, relatively insignificant when compared with the cost.

Let me repeat that:

> Insignificant when measured against the cost.

And, the March 1991 report by the director of the White House Office on Science and Technology, President Bush's science adviser, Alan Bromley, included the following statement:

> Neither the commercial processes nor the scientific merit of the microgravity experiments come close to justifying the cost and effort required to build, deploy, and operate the station.

The experts agree that the benefits are just not there in sufficient measure.

Now, Mr. President, like most of us here I grew up excited by President Kennedy's challenge to the country to go into space, go to the Moon. All of us have lived with the extraordinary contributions of the space effort and of our astronauts—including both Senator Garn and Senator GLENN. But when you balance what this space station offers, exploration, against the needs that we have here and now, it does not cry out for the enormous funding level it receives.

As we look at the issues in front of us here, we must ask ourselves what we can do to hold together the fabric of American society. These are the priorities that do not get funded when we continue to pour billions into the space station and projects like it.

The incidence of crime in Florida and all across this country is appalling. It did not even shock most Americans that another tourist was just killed in Miami. Thousands of Americans are killed every day in America and we do not have enough cops on the street to do anything about it.

We still do not have full drug treatment in America. Years after we first declared a "War on Drugs," drugs are as prevalent as ever on the streets, in the schoolyards. How can anyone tell me that at this moment in time, at this instant in America, that rather than providing full drug treatment or putting sufficient numbers of cops on the streets to provide for the safety of Americans, that we must put billion-dollar gadgets into space?

I cannot accept that argument.

And it is not only the security of American citizens that suffer so that we can fund projects like this, it is also other scientific research about which I

care deeply. As a member of the Commerce Committee, I have fought alongside the chairman to fund many scientific programs. At times we have had to beg, borrow, pray, and steal and in the end we often wind up shortchanging most of these programs. For me, allowing this extraordinarily large science program to receive funding at the expense of these other so-called small science—but often more valuable—scientific programs is unconscionable.

I would like to share with my colleagues what the cost of funding the space station is in terms of some of these other projects.

First, there are the NASA projects. NASA's purpose, Mr. President, is not just to launch space craft. Its true goal should be gaining knowledge of the universe. And there are many ways in which we can gain this knowledge of the universe, but because we have placed so much priority on the space station the other NASA programs other than the space station suffer enormous cuts.

Let me just point a couple of them out. The National Aerospace plane that performs research in air dynamics and pollution technology. That is a project that would help the U.S. aircraft industry to get from the 747 technology to the technology needed to design an environmentally sound commercially viable supersonic transport. That is a project that would put many more people to work and make us more commercially strong in the world. But it is always short of its funding target despite the fact that is key to that industry and to exports.

The Galileo mission to Jupiter, on which we have already spent $1 billion, will not be able to obtain the scientific information it was built to obtain—about Jupiter and its radiation environment—for lack of $15 million to finish the antenna.

Second, there are the worthy projects of the National Science Foundation which funds research in such areas as condensed matter physics—which advances our knowledge of how to make more efficient semiconductors, critical to California, critical to Massachusetts and other States, critical to our overall competitive posture. Yet this research is seriously underfunded.

Third, the National Institutes of Health provides grants to researchers in the whole scope of health-related fields including cancer research, breast cancer, emphysema, AIDS, Alzheimer's disease. These grants spawned biotechnology.

The PRESIDING OFFICER. The Chair will observe the hour of 12:30 has arrived.

Mr. KERRY. Mr. President, I ask unanimous consent the Senate remain in session until the Senator from South Carolina has completed his remarks.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLINGS. May I have 10 minutes?

Ms. MIKULSKI. Reserving the right to object, I would be very happy to accommodate the Senator. I know there were so many who wanted to express their views, I certainly would not object. I hope my colleagues who have completed their remarks will, in the caucus, help me when I arrive after the time agreed upon.

Mr. HOLLINGS. Mr. President, I will take my 10 minutes after the Senator concludes.

Mr. KERRY. I will indeed help the manager.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, the grants I am talking about within NIH spawned the biotechnology industry. They continue to provide important discoveries that are crucial to curing disease and to developing new drugs. NIH research grant funding will basically stay even with last year and is grossly insufficient given our need to find solutions to such diseases as breast cancer, AIDS, and others. It is just unconscionable that we cannot find funding for real research into these diseases and put it into gimmicky projects concocted to justify the space station instead.

Then there is the National Institute of Standards and Technology's Advanced Technology Program [ATP] that performs research into critical technologies such as materials processing, biotechnology, and microelectronics. ATP is now funded at some $68 million, but thanks to the leadership of the Senator from South Carolina, the Commerce Committee recently passed a bill seeking to raise that funding up to $200 million. But all of us understand there is very little possibility that this priority is going to be fully funded because we do not know where to find the money. But it goes into the space station at a rate the GAO and every other study has said is beyond any comprehension.

Mr. President, the fact is we must really stand back and ask the question: Are we still a Congress that in the name of the American people can pretend to be responsible about the deficit and the budget while we continue to fund things because we would like to rather than because they are the only things that are really vital to the quality of life and our ability to hold together the fabric of our communities?

I was recently in an inner-city school in Boston called the Jeremiah Burke School. It has 900 inner-city kids. They have one guidance counselor. The teachers are struggling to provide materials for these students because they did not have enough books to go around. The school had a set of computers but no one able to teach these children on them because of the budget cuts.

You can go across America and find communities like this where the fabric is just being ripped apart because we are not making the hard choices.

People are screaming out about personal security in America. Crime is worse than it ever was. I look at the court system I used to work in. I have gone back and talked to prosecutors, talked to cops. They tell me it is falling apart. They cannot get the court space. They cannot move people through the system. There is nowhere to put anybody. We are willing to put people into space but we are not willing to put people into jail who belong in jail.

This is a basic simple choice. Are we prepared to decide for America what we need to spend money on rather than what we would like to spend money on?

You can look at the job training programs. You can look at the child immunization program. We have diseases coming back in America that we thought we had eradicated a few years ago. Why? Because the Child Immunization Program does not reach everybody, and it was cut.

We have libraries and schools in the United States of America that are shut in the afternoon and kids have nowhere to go. We have whole cities that are deprived of Boys and Girls Clubs so only 10 percent of the population has a place to find an outlet. But we can find money to put a few astronauts up in space at this moment in time?

I would love to do that. I was raised on the promise of President Kennedy. Someone here asked earlier, "Don't we have people of vision anymore?" Yes, Mr. President, we do. But the vision is to restore the American dream to our citizens, to restore their sense of safety on the streets, to invest in technology that will increase our competitiveness and the quality of jobs, to invest in the research that will cure our deadly diseases, and to restore our communities to the condition where children can learn and dream.

Will terminating this program hurt in California? Will it hurt in Texas? Will the loss of $600,000 hurt in Massachusetts? Yes, it will hurt. But if we measure that loss against the pain that people across the country are feeling because we are not willing to address our fundamental needs as a Nation.

It is a hard choice time. That is what this is about, and I think the American people are waiting feverishly to see whether the United States Congress can actually do something for once—whether we can really deliver some spending reductions and make some of the choices we ought to make for our future.

Mr. President, I hope we will finally ante up and deliver to the American people. I had a separate bill to try to cut the space station and a number of

other wasteful Federal programs. I am delighted to join the Senator from Arkansas and the Senator from Tennessee and others who are leading in this effort to try to help the Congress do the responsible thing. I hope we will succeed.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. HOLLINGS. Mr. President, let me right away thank the distinguished manager of the bill. She is very generous to allow these few minutes to speak.

As chairman of the Committee on Commerce, Science, and Transportation, I oversee many Federal programs designed to stimulate the economy, provide jobs, and assist industry in competing in international markets. I believe that science and technology will pay an increasingly important role in our Nation's future economic health and success. For this reason, I have supported investments in the U.S. Civil Space Program.

However, at a time when our Federal budget deficit soars over $300 billion, we cannot afford to continue funding monumental science and technology programs that have questionable returns on investment. While technical risks are inherent in all research and development programs, NASA needs to ensure that taxpayer money is spent prudently.

The recent $1 billion loss of the Mars Observer spacecraft is a great disappointment to the American public. The total loss of the Mars Observer follows partial failures of the Galileo and Hubble space telescope. Despite NASA's history of successfully developing and operating spacecraft, these recent examples reduce our confidence in investing precious taxpayer dollars in expensive space programs.

Let us consider our investment in the space station. Since 1985, Congress has provided $11 billion for development of the space station program. Even with the cost reductions from redesign, NASA would still require another $21 billion to complete the space station. Furthermore, if the full costs of all the space shuttle flights, personnel, and facilities that NASA would need to build, operate, and maintain the space station are included, the total life cycle costs would approach $100 billion. So even with this latest redesign, the space station remains extremely expensive to build and operate in these difficult budget times.

The administration claims to save 4 billion over the next 5 years through redesign of the space station. While I commend the President for confronting the escalating problems of the space station program, initiating a redesign which resulted in reduced costs while ensuring the integrity of science objectives and maintaining the interests of our international partners, unfortunately, the question is not how much this redesign saves, but how much we still need to spend if we are going to continue funding the space station.

Let me make clear that I am not advocating that we abandon our space program. Currently, we spend $4–$5 billion annually for NASA's space shuttle fleet. This is a significant level of funding that, if used effectively, should allow NASA to pursue valuable scientific research in microgravity environments using the space shuttle and the highly trained astronaut corps. A research program based on the space shuttle will yield important benefits in medical research, advanced technologies, and scientific exploration without the exorbitant cost of the space station.

Instead of spending billions of dollars on large space projects, NASA should focus its research and development strengths on efforts that can help turn around the U.S. economy. Aeronautics, robotics, and biotechnology are examples where NASA has special knowledge and capabilities critical to our Nation's competitiveness and future. In this regard, I commend the administration's efforts to make possible United States and Russian cooperation in space. The post-cold war era promises to provide many opportunities to encourage greater international cooperation in areas such as science and technology.

Likewise, the opportunity exists now for NASA to play a key role in technology development and to work more closely with U.S. industries. However, the space station will continue to consume a disproportionate share of the NASA budget and will not contribute substantially to developing the critical technologies that may enhance U.S. competitiveness.

Cutting a highly visible space program is difficult. However, we cannot shirk our responsibility to reduce unnecessary spending for high-priced Federal programs. I ask my colleagues to take responsibility for addressing our Federal budget deficit and vote to terminate the space station program.

Again, recognizing the distinguished Senator from Arkansas' leadership on this particular score, I followed him before and very quietly voted with him before. As chairman of the Commerce, Science, and Transportation Committee, I am particularly grateful again to the Senator from Massachusetts who has accurately distinguished between what is desirable in government and what is necessary in government.

I necessarily rise with trepidation. The former Speaker of the House, Tip O'Neill, said that all politics is local. We can add a corollary to that. All politics is a true/false quiz. We live in the age of the 20-second sound byte and there is little room for reason now, in this most deliberative body. But once you emit a sound on any score, you are either for or against and that is the way the particular 20-second sound byte is going to appear. You are not allowed nuance. You cannot expound or explain at length why we should delay, put off, or prioritize any particular program.

In that light, I am not against the space program. I am very, very much an enthusiast for its fine work and the advances in science, technology, and health that it has produced. Yet, at the same time, I cannot go along with this space station.

I have tracked it from its drawing board stage, and you can see right now after years, we are back at the drawing board stage. It has not been developed. NASA management has been rather lax in its letting of contracts. They have not audited them properly; they have not coordinated them properly. There are many public misgivings.

It is disturbing today to hear the case made that we should not cut the space station because the money will not actually be saved, it will be siphoned off to other programs. False. It is exactly the purpose of the amendment by the Senator from Arkansas to ensure that every dollar cut from the space station is applied strictly to deficit reduction.

We have listened to wonderful arguments about health spinoffs from space station research into crystalization and microgravity. I serve on the Subcommittee on Labor, Health and Human Resources. This year out at the National Institutes of Health, 85 percent of highly rated research proposals—approved for funding—will go unfunded for lack of money. This is a far greater blow to health research than the loss of microgravity research on the space station.

Yes, it is discouraging to young scientists, to brilliant minds in medicine, who decline to come forward in research because they say, "I'm not going into it. I can do good work and still be denied, and there is no opportunity there." On this score, the underfunding at NIH is a far greater threat to health care than the elimination of the space station.

We need, as the senior Senator from Texas just enunciated, a reality check on health care. I happen to agree. In fact, foreseeing exactly that, I went to the President in February and recommended a tax measure to fund health care reform. The Senator from Texas said as a mantra: cut spending first, cut spending first, cut spending first. No one in their right mind really believes that we are going to fund a multibillion-dollar expansion of health services through spending cuts alone. There have to be savings; there have to be cost cuts. But you do not finance health insurance for an additional 37 million Americans strictly through spending cuts and savings. You are going to have to have taxes, which the administration recognized when it

started talking about liquor and cigarette taxes and other measures with respect to small business. The Senator preaches: "Let us have a reality check; let us not go into this program until, in essence, we have the money for it."

I am reminded of church on Sunday, and the first thing they sing is:

Let there be peace on Earth, and let it begin with me.

Likewise with spending cuts, what about each Senator saying "let it begin with me."

In my own case, I have supported cuts in programs that are near and dear to me. I just finished an 8-year term on the Intelligence Committee; I strongly support intelligence; but I insist that we can save some $2 billion out of the intelligence budget. It is on the public record that the CIA has hundreds of analysts whose salaries and bonuses allow them to earn more than a U.S. Senator. When you and I retire, we can go out and get an increase in pay by being one of those analysts at Langley.

The time has come to cut spending on programs that we would love to fund if we were not so deeply in debt. For starters, we must eliminate the super collider, the Osprey and the space station.

If we cannot see the distinction between the desirable and the needed, then this Government is gone, I can tell you that. We simply give credence to the term limitation movement, because they say this crowd on Capitol Hill has not sobered up yet.

There must be sacrifices. I supported the space station. I did not join as a cosponsor on the amendment. I thought my duty as chairman of the authorization committee was to try to preserve these programs in space. But we all have a higher duty, irrespective of our committee assignments, of trying to save the Government first. When they say cut spending first—and I constantly hear that chant on the other side—here is the opportunity. If you cannot see this one, we are goners, I can say that.

Once again, I thank the distinguished Senator, the chairman of our Budget Committee, for his leadership on this score; and particularly the junior Senator from Maryland, the chairman of the subcommittee that has to fund these programs. I hate to have to vote against it, but we have to start somewhere.

Thank you very much.

Mr. SIMPSON. Mr. President, I rise today in opposition to the Bumper's amendment to terminate funding for space station *Alpha*, although I do so with some reservation. I too, am very concerned that this project has been over budget for too long and it is years behind schedule. As our national debt continues to mount and become an even more threatening crisis to future generations of Americans, we need to carefully scrutinize all Federal spending. However, I feel that terminating this project at this time is not the most prudent course. I reserve the right to reassess this position when future funding requests for the space station come before the Senate.

Although we do not currently have an actual physical product to show for our past investment in the space station project, we do have an embryonic space capsule design that offers a great deal of promise—including cures that are expected to come from space station research in medicine, advanced technology and research, and other scientific accomplishments that could benefit all of mankind.

Long-term planning and thinking is never easy in the face of yearly fights over budget priorities and 1-year budget cycles. We must have some long-term Federal investment in future American jobs and future scientific research. However, with each passing year, we need to assess the progress being made toward these longer term goals. So far, the space station has been a close call when assessing its progress and potential benefits versus its cost and its contribution to the Federal debt. For this year—I am willing to give the space station one more chance. That may not be my conclusion next year. I look forward to the greater progress of the space station in the next fiscal year.

Mr. BRADLEY. Mr. President, throughout its early days, NASA stood as a metaphor for the American spirit—challenging ourselves to do our best, pushing past our physical and technical frontiers, and setting the highest goals of the mind and spirit. It was because of this Agency and its singular determination that America achieved what is arguably the most impressive technical accomplishment of this century, the landing of men on the Moon and their safe return.

Having noted that, I rise in strong support of Senator BUMPERS' amendment to cut spending of the space station. Obviously, there is an irony here. We have the NASA of the past. And we have today's Agency. All of us know NASA is in deep trouble. The space station is just one more in far too long a string of disasters and blunders. If there is any forward motion at NASA at all, it is due to inertia—and inertia is not a rationale for any agency or program.

There is a saying about Government projects. There are only two phases: too soon to tell and too late to stop. Unfortunately, the space station is a perfect example. In 1984, we were promised the world and all on the cheap. The space station was to provide a way station to the Moon and to Mars. Astronauts would use it for satellite repair and study in astronomy and environmental sciences. It would house specialists from all over the world who would create new industries with their scientific revelations. All for $8 billion. When it was too soon to tell, the Congress signed on.

Mr. President, we have spent $8 billion and, as we all know, we have no space station. But at least it appears NASA has moved successfully to the second phase of the project: too late to stop.

Notwithstanding all of NASA's efforts to economize, the costs of this project remain out of control. This year, the GAO estimated that the space station would cost $43 billion to build and $120 billion if operating costs are included. Of course, NASA said it would cost less, but we are redesigning it anyway. And we are proceeding ahead, anyway.

I do not want to argue against the vision embroiled in the space program. I wish to debate its realities. The space station is poorly managed and, however configured, will return very little science for the immense cost. We all know the project was oversold. We all know that the project has been fundamentally mismanaged. At last count, we are on the sixth design overhaul. It is unfortunate that this debate today presumes the program will continue. On the Senate floor, the burden of proof is clearly on those who wish to cut the program. Given the facts, this is backward. Given our general concern for a deficit that is out of control, we should presume that the space station program will be terminated and the burden of proof laid on the proponents. But that is not the case.

Mr. President, the space station is not a public works project. The space station may create jobs, as any multibillion dollar project would, but that should not be the essence of this project. The station must grow from the needs of science of the desire for new understanding. Over the last decade, the science of the space station has steadily diminished. Its rationale has likewise shrunk. Its budget has remained. It is time to put these two—the science and the budget—back in sync. It is never too late to stop.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until 2:15 p.m.

Thereupon, at 12:45 p.m., the Senate recessed until 2.15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. MATHEWS].

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I note the absence of a quorum and ask that the clerk call the roll, please.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT FOR FISCAL YEAR 1994

The Senate continued with the consideration of the bill.

Mr. GRAHAM. Mr. President, I wish to make a few remarks in opposition to the pending amendment.

The PRESIDING OFFICER. The Senator from Florida is recognized for that purpose.

Mr. GRAHAM. I thank the Chair.

Mr. President, over the course of the past 6 to 7 hours, we have had very deliberate and serious discussion as to whether the United States should continue with development of the space station. I associate myself with the remarks of the chairperson of the subcommittee and others who have indicated the importance of continuing this national effort.

I would like to make just one point. We are going to be dealing with a variety of issues, all of which fall loosely under the rubric of the economic future of America. Soon we will be in the midst of a major national debate on the North American Free-Trade Agreement, a part of the economic future of America. We will be discussing questions of worker retraining, the issue of the development of an American infrastructure. I believe it is in that context we should be considering the appropriateness of this continued national investment in a space station.

A basic question for this country is what kind of jobs are we going to be assisting in the development of for our and future generations of Americans?

One thing that is clear is America is not going to be the nation which will be building those products that are labor intensive, in the traditional sense, and low-wage jobs.

The issue of the North American Free-Trade Agreement is not whether jobs are going to move from the United States to Mexico. Under current conditions, large numbers of jobs have already moved to Mexico. They have moved to Taiwan. They have moved to Korea. They have moved to areas around the world that have had lower wage structures and, therefore, can be more competitive than the United States.

What we have to do, in accepting the economic reality of the mobility of jobs and places of production, is make investments in those areas which will assure that high-technology jobs, high-paying jobs will continue to be available to the American worker.

That is what the space station does. The space station is an investment in the same way that we have invested in the past in everything from our extension in the land grant college system to boost the economic prosperity of American agriculture, to investments in those things that have made America a leader in medicine, in communications, in transportation, and the areas which are today providing the high quality jobs to the American worker.

I do not believe that we will be doing our Nation and its future a service if we decide that we are going to become protectionist and become isolationist against an investment in these areas of high technology which have been America's traditional economic future.

So, Mr. President, I urge that the amendment be defeated and that we continue with an American commitment to leadership in space, but even more important, an American commitment to an investment in the future of high quality jobs for the American people.

Thank you, Mr. President.

Mr. SHELBY addressed the Chair.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Alabama is recognized.

Mr. SHELBY. Mr. President, I rise to oppose the Bumpers amendment.

I am standing here today to participate again in the annual Senate ritual of attempting to cut the space station. We have been here before. As a matter of fact, we have been here year after year. I would like, Mr. President, to keep my remarks brief and, hopefully, to the point. The debate over the space station, I believe, is simply more show than substance.

This amendment, the Bumpers amendment, is not about cutting the deficit by one dime. The Bumpers amendment would not lower the discretionary spending levels in the budget by any amount. As a result, any savings, at best a few billion dollars over the next few years, would be spent, Mr. President, on other spending programs.

In this case, Mr. President, the amendment basically asks us to choose between competing priorities. In general, I am not given to believe that there are many Government investments that yield much in the way of economic growth. There are some, yes, but not many. However, in the case of science and technology spending I am convinced that tangible benefits do accrue to the country and its industrial base over the life of the investment and beyond.

Space spending has traditionally yielded $7 in economic growth for every $1 of Federal expenditures—7 to 1. I have no doubt that the life sciences and habitation work being done for the space station will yield similar results.

Mr. President, if we are not talking about deficit reduction, but are talking instead about priorities, I firmly believe that the space station is a meritorious investment that will benefit our children both economically and scientifically.

In addition, Mr. President, we have extensive commitments, as have been stated on this floor heretofore, to our international partners, commitments for cooperation and investment that now extend to the Russian Republic, among others.

Certainly refinancing international agreements is never good policy. However, canceling the space station and its accompanying agreements would be extremely dangerous because of the signal it sends to the international aerospace industry, Mr. President. Canceling the station is nothing more than a statement of America's willingness to abandon its diminishing edge in aerospace research and development that we have led for so many years.

Certainly, Mr. President, we should be working to enhance our high tech industrial base through projects like the space station rather than clipping away at it by undermining vital projects such as this.

Without a clear direction and future, the U.S. aerospace industry cannot orient itself to compete in the international marketplace. The annual reorientation of space priorities, or threat thereof, keeps our aerospace industry in a constant state of limbo and anxiety.

Mr. President, I believe we must have stability in NASA to have stability in our aerospace industry. A completed space station is critical to that stability.

Finally, Mr. President, cutting the space station is a flashy issue, but one that has little if any budgetary impact as I have just stated. Even if the pending amendment cut Federal spending by the amount of the life of the space station, which it does not, the savings would amount to little more than one 1 percent of 1 year's annual Federal expenditures.

So, Mr. President, I ask my colleagues here today to understand that this debate is not about fiscal restraint here this afternoon, but about investment priorities. In this case I am convinced that the space station, in its past or redesigned present form, merits the investment that we are making for its construction. I ask my colleagues to join me in opposing the Bumpers amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I have been following the debate on the space

station with great interest. For over 10 years in the other body, I served on the Science and Technology Committee of the House of Representatives, during which time I was perhaps one of the most ardent supporters of our efforts in space. I watched with considerable satisfaction as our endeavors in space matured and became more scientifically oriented. Then I watched with some dismay over the period of years as the space program moved from a civilian endeavor to a military endeavor.

When I first started my tenure in the House of Representatives, the space program was about—and here is where I do not know my figures correctly, but I think I am in the right ballpark—80 percent civilian and 20 percent military. Over the ensuing years, the space program changed. It became almost 80 percent military and about 20 percent civilian. I think I am roughly in the right ballpark.

Some of us tried to stem that. We wanted the space program to remain a civilian endeavor, a peaceful endeavor; one that promoted the best instincts of the human race, not the worst instincts; one that did not seek to take advantage of our technological superiority in order that we might build more efficient, effective weapons of war; one that would seek to bring together people from other nations in a joint endeavor to satisfy the deepest yearnings of the human race—that is, to explore the unknown.

So while, on the one hand, I promoted and encouraged and voted for our endeavors in space, on the other hand, I tried with the best efforts I had at the time to change it from being a military effort to one of continuing its civilian effort, which is as it was envisioned and started under President Kennedy.

So for the last several years, as I moved from the House to the Senate, I became so disappointed with the militarization of our space program, with moving it from what it had been envisioned as in the early sixties, what it started out as, to what it had become—just another arm of star wars, another arm of our military endeavor, to gain some type of military superiority, to place weapons of mass destruction in orbit around the Earth.

I spoke about that on an amendment I offered a couple weeks ago on ASAT. I tried to knock funding out of the Defense Department bill on ASAT, antisatellite weapons, because I feared if we moved in that direction it could for decades, if not centuries, deny to us many regions of space, because of the debris that would be orbiting the Earth.

So for the last several years in the Senate, I have become one of the most vocal opponents of the space program, not because I wanted to see the space program end, I wanted to see it changed. I wanted to see it moved back again to the civilian endeavor that it had started out to be in the 1960's. Move it back again to exploration, to satisfying that yearning of mankind to explore the unknown, to once again ennoble, to excite us once again about the possibilities of the future.

So I have, in the past, voted against the space station. I joined with Senator BUMPERS in the past in voting to kill the space station because I felt that it was going down the wrong path. We were doing it not for the best purposes and instincts, but I thought for the worst purpose, and that is to militarize it, in competition with the Soviet Union.

Well, to the amazement of my friends on both sides of this issue, Mr. President, I will state my conclusion first, and I will tell you why I reached that conclusion.

I am today going to vote against the Bumpers amendment, and I am going to vote to continue funding for the space station. That is my conclusion.

I will sum up why I am doing that in just perhaps this sentence. I believe that the agreement we reached with Russia, in terms of a joint endeavor to build the space station and to jointly move ahead in the exploration of near space, is so monumental and so important to the future of our relations with Russia and to the future of all of space exploration—and I might add, important to the issue of nonproliferation of weapons of mass destruction and their delivery systems—that we must vote to continue the space station.

I must tell you, Mr. President—and I tell my distinguished chairperson of this subcommittee, my dear friend from Maryland—if that agreement had not been reached with Russia, I would be on Senator BUMPERS' side, because I would see no changing from what that space station had been envisioned to be. I add that the initial design of the space station has been cut down and drastically altered. The most important thing to me is that it has been designed not just as a space station, but as an international space station, one that will use the best hardware of this country and of Russia, the best technological expertise of both sides, including the French, Japanese, and others, to build a truly international space station, one not just designed to be an arm of the military but designed to be an arm of our scientific community, and I think also one that will again pull in people from all nations.

I think that agreement between us and Russia is so important that we cannot fail at this one.

So, Mr. President, that is why I have changed my mind on this, and that is why I think we cannot back off now, because I see a change, going back to what we wanted the space program to be in the beginning—a civilian effort, dedicated to peaceful pursuits, dedicated to science, yes, but dedicated again to exploring the unknown, which I believe to be one of the deepest aspects of human nature.

So we are at the beginning of a new era. In the last many years, our space program was driven by one overriding consideration, and that was competition with the Soviet Union.

Who can forget the panic that swept this Nation as Sputnik was up in 1957? I will relate a funny story. I remember that I was a junior in high school. I did not read the morning paper, but I went to school that morning. I will never forget it. I went to physics class. I was taking physics as a junior, and our teacher was Professor Landry. I will never forget sitting in that class, and he came in. He had white, flowing hair that almost reminded you of Albert Einstein.

He comes into class and is waving a newspaper, which he has rolled up, and he looks at us students—mind you, we were juniors in high school—and he says: "You dummies. Look what you have done." And he went on berating us. We had no idea what we had done. He unfolded the newspaper, and there was the announcement the Russians launched the satellite. He went on berating us because we were not studying hard enough, that we had fallen behind.

So I remember that day very, very vividly, and I remember the fears that we had of Soviet nuclear bombs orbiting a few hundred miles above United States cities. That was the big thing. Sputnik went up. The next thing was nuclear bombs orbiting. They could drop down on us, and then the nightmare of nuclear-tipped missiles unchallenged by American capability.

The Russians had indeed beaten us to the last frontier. Overnight U.S. space resources doubled and doubled again to reverse this defeat in our competition with the evil empire.

John F. Kennedy was elected in large part because he had pointed out the previous administration failed by letting the Soviets get ahead of us in space. Of course, we remember the famous challenge in 1961 to put a man on the Moon and return him safely within the next decade. But this was driven again by a civilian desire to get into space, and we created a civilian agency. I think it is very telling that the first human to set foot on the Moon was a civilian, not a captain or commander, not anyone in the military. It was Neil Armstrong, a civilian employee of NASA, a civilian. I think that said something about what we were up to. American scientists, engineers and technicians met this challenge.

Now, it changed. It became a military thing driven by fear of the Soviet Union, fear of the nuclear arsenal of the Soviet Union. And that has driven us, but now all that has changed.

There is no Soviet Union. Many times I hear the Soviet Union talked about. There is no such entity. It does

not exist. There is no space race any longer.

After all these years of confrontation and competition and fear and anxiety, we have an opportunity for expanded peaceful cooperation in outer space. Vice President GORE has laid the groundwork for unprecedented cooperation with Russia in building what is fast becoming, as I said earlier, a truly international experiment.

It could not come at a better time. By cooperating with the Russians, we can reduce the economic burden of our own space ventures, and, Mr. President, we can occupy Russian scientists and engineers not in trying to match us in trying to build weapons of war and mass destruction and their delivery systems, but we can occupy Russian scientists and engineers, and they are very good, by the way, in the peaceful pursuits of space exploration. We can further provide a market for the considerable Russian experience in human-occupied near-Earth orbiting vehicles, reducing the incentives for the Russians to sell military missile technology to unstable Third World nations. Think about that.

The fear we have is that Russia because of its situation—we heard Senator BUMPERS last night go on and on—I was occupying the Chair when he introduced his amendment telling about what a bad shape Baikonur was in, and others, and I will respond to that in a minute talking about the Russian hardware.

Well, what do we want? Do we want the Russians because of their dire economic circumstances to start selling that technology to an unstable Third World country like Saddam Hussein's, and others? And they will do it. They need the money. Or would we rather join with them and use that technology for the peaceful pursuits of outer space combined jointly with us? I think the question answers itself.

Mr. President, as I said, also, the design of the space station has changed. The cost has come down. Last year's design would have cost $18 billion over the next 5 years. It would have cost $25 billion before we achieved permanent human occupancy. The total life cycle cost of last year's space station would have been over $50 billion. But that has been changed. President Clinton directed NASA to reduce the cost and they have. It has been reduced from $18 billion to $10.5 billion, and the cost of permanent occupancy cut from $25 billion to $19 billion and life cycle cost estimates from $50 billion to $32.5 billion.

These are very important because we are concerned about the budget deficits and the impact on the budget.

Now, again, some of the reduction in the design cost is due to the purchase of proven Russian hardware, including two Russian lifeboats and two Russian tugs which provide communication and propulsion for the space station.

Vice President GORE and Russian Prime Minister Chernomyrdin has laid the groundwork for even greater Russian contributions. A decision is planned for this November to add the equivalent of a Russian MIR-2 module to what is fast becoming, as I said, a truly international space station. This major contribution of Russian hardware would have two significant effects:

First, the United States could have a working space station laboratory in space by July 1997, nearly 2 years ahead of the *Alpha* design schedule. Similarly, the day of permanent occupancy could be moved from 2003 to 2001.

Second, the full-blown Russian option would further reduce costs, primarily as a result of reducing the schedules by utilizing existing Russian hardware.

Now again, Senator BUMPERS went on. He asked the rhetorical question how would we feel, how would our astronauts feel about using Russian hardware, Russian technology. Well, as a matter of fact, Mr. President, they might feel pretty good because the joint agreement is with, of course, NPO Energia of Kaliningrad. Under the regulations of the Russian Republic, NPO Energia of Kaliningrad has control of assets. Therefore, they must sign off on programs involving its own assets.

NPO Energia is the world's oldest and largest space organization. Like many Russian organizations it is being transformed into a commercial company.

It holds a pretty distinguished place in space history. It was the lead organization that developed the Sputnik. It was the lead organization that planned the flight of Yuri Gagarin, first human in space. It developed the first space station, the *Soyuz* PPM, and today the only space station, MIR and NPO developed and launched the space shuttle and the heavy launched vehicle the largest launch vehicle that we have in the world today.

NPO Energia is an organization sophisticated in cooperation with the West. It was the organization on the Russian side of the *Apollo-Soyuz* flight of 1975.

Mr. President, I went down to Florida for that launch of *Apollo-Soyuz* 1975. It was exciting. I watched a lot of liftoffs but this one was particularly exciting. Here were Americans going into space to link up with the Soviets to hopefully do what I thought we would start doing and that is getting back to civilian use of space with joint efforts with the Russians. I remember when the astronauts came back from that flight we had them over in our committee room later on. I was privileged to meet the Soviet astronauts who had linked on the Apollo-Soyuz linkup back in 1975. We had high hopes that this was the beginning of a joint effort with the Soviet Union only to have those hopes dashed because of the military confrontation and competition with the Soviet Union.

But again the entity that we are dealing with, Senator BUMPERS said how would we feel about using Russian assets and their hardware? This is the lead organization that planned the Apollo-Soyuz flight. It was the one that lead the world in space flight, space stations, heavy-lift vehicles. I think we ought to feel pretty good about it.

I am like every other American, every other red-blooded American, I take pride in what we do. I tend to think everything we have is the best. But, quite frankly, the Russians have developed some pretty darn good hardware for space exploration.

The status of the space program—despite all of the political uncertainties the Russian space program continues its operational status, continues to evolve. Launches are still continuing at a rate higher than the United States. The MIR-1 space station continues to be permanently manned. It has been occupied throughout this year including a visit by a European researcher. The cargo resupply from the Progress launch vehicle also continues at an appropriate rate. So again, I do not know what Senator BUMPERS is talking about. It sounds like the Russian space effort is continuing. It may not be as fancy as ours but they get the job done.

I believe that we should feel very good about joining with them and using their hardware and using whatever technologies they have.

But I think of equal importance in terms of reducing the cost which I was speaking about and using their hardware, of equal importance is this new plan would make a major contribution to stabilizing the Russian space program.

As I said, it would significantly reduce the temptation of the Russians to sell hardware or expertise to potential missile proliferators. And the Clinton administration's plan would make this a truly international effort, combining contributions from Japan, Canada, and our European allies with those from the United States and Russia.

So for these reasons I have decided I will support the current plan, *Alpha*, for the space station, with the understanding that the United States will move ahead with the Russian option to fully integrate Russian MIR hardware into the space station design.

My continued support will also depend on NASA's performance in controlling costs and meeting schedules. We must insist that the taxpayers' dollars are spent effectively and efficiently. Again, my continued support will depend on our continued relations

with Russia, whether or not we continue to use their hardware and whether or not this continues to be a peaceful joint enterprise with the Russians and with our allies.

In short, my continued support will depend on whether or not this truly is an international effort. We will take the lead. We should take the lead. We are the world's only remaining superpower. We have the capability to take the lead in this, and we should take the lead. But that does not mean exclusively; that does not mean only our taxpayers should bear the burden. Space exploration is not just for Americans; it is for the entire human race.

I know there are those who are concerned that perhaps by utilizing some Russian hardware, some of our jobs may be in jeopardy. I have heard that. I know that is circulating around. There are those who want to hold this up as a possibility, but not really completely integrate it with our Space Program for that reason.

I give a warning to those who would think thusly, in saying if we do not fully integrate the Russian hardware, they are going to be selling it to other countries. Our space program will dwindle and we will be shifting our engineers, our scientists, right back into Star Wars once again. Maybe some people would like that. I hope not. But I think we ought to be about the peaceful pursuits of space, and that is why I changed my mind from what I previously voted. I explained that earlier.

I will just sum it up by saying we have a proud history in space exploration. We are the world's only superpower left, and we should be about taking this lead. I think we have to insist—and we here, who cast these deciding votes on the money our taxpayers must spend—we have to insist we do not shirk and we should not yield in exploring this last frontier of mankind.

We must go into space not as Americans, not as Russians, not as Japanese, but as a people of planet Earth, as human beings. This space station as it is now envisioned may be called Space Station Freedom. That is fine. It should be. I like to think of it as perhaps space station *Enterprise*. We have all seen the Star Trek movies, right? The Star Ship Enterprise.

The one thing I have always liked about the Star Trek series and watching the Enterprise was that the space ship was multiracial and multinational. It talked about what we ought to be doing in space. I see the space station as that, a truly international effort—multinational, multiracial, not for the purposes of weapons production, not for the purposes of proliferation of nuclear weapons and bombs in space, but satisfying the deepest yearnings of human nature, that yearning we all have to understand the unknown, to explore that which we do not understand; to find out the answers to the age-old questions of who we are, and are we alone; to satisfy that deepest yearning of mankind to strike out from the shores that we know, to cast our boats adrift, to explore the unknown. That is the deepest yearning of human nature.

In doing so, I believe we will ennoble ourselves. Who knows what we will find? Who knows what awaits us? We hear all about the experiments, the scientific experiments. I am sure there will be great spinoffs from this. There may be things we just do not know of. Think of, perhaps, those who pushed ahead the frontiers in exploring the unknown in the past, whether it was those who explored the oceans, those who explored the new frontiers of new countries; new frontiers, whether it is the United States or other countries. They had no idea of what would come of it. I see the same thing in our space exploration. We do not know what will come of it, but we have to do it. And there is only one way we should do it: Not just as Americans, but we ought to do it internationally.

This is the first step toward that, this agreement with the Russians. I hope we do not back off now. And I hope, as we proceed on this, it will not just be the Russians; it will be the French, it will be the Japanese, it will be the Germans, the Brazilians—everyone else. We all have a stake in it, and I hope under the leadership of President Clinton over the next several years, we will truly see an international space effort and a truly international space station.

I thank the distinguished Chair of the subcommittee for her great leadership on this issue, and so many others. She and I share, I know, a strong feeling that we must meet the human needs of our people in this country—the social needs, the health needs, the employment needs, the training needs, the education needs. We believe that very deeply. I know we share that feeling.

There is one other thing I believe we also share, and that is this feeling we cannot back down from this last great enterprise of exploring the unknown. So I congratulate her for her leadership in so many areas, and especially in this one. I am sorry I could not have been with you in the past, Madam Chairperson, but I am with you now, and again I sincerely hope we defeat the Bumpers amendment and we continue this joint exploration with the Russians. I hope in the Senator's capable hands, we make this truly an international space station.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I congratulate the Senator from Iowa not only on his fine speech, but his superb grasp of the strategic issues involved in the space station debate. The Senator from Iowa has truly grasped the strategic benefits that we will gain from this space station. He has also articulated our very sincere and effective cost cutting efforts.

The Senator from Iowa chairs the Subcommittee on Labor, Education, and Human Resources in the Appropriations Committee. No other Senator has a greater struggle meeting the human needs of our country in education, preventive health care, higher education demands, the funding of the great National Institutes of Health, the Public Health Service, and a whole other array of agencies. This Senator has struggled with skimpy budgets and compelling human need, and he understands that every dollar counts.

I thank the Senator for his support of the space station. I thank him for articulating clearly the achievement of the strategic purpose which we undertake, and then also our cost cutting.

Mr. President, I would like to just amplify this. First, a lot has been said about the cost of the space station. What many people have ignored in this debate is that we have cut the cost of the space station without cutting its ability to do significant science.

When I first became the Chair of this subcommittee and had the concerns I had about the space station, my concerns were that it was overweight and underpowered and had no clear objective. I was concerned the only reason we were getting into this was so it could be a condo in the sky, so sometime in the future we could make a jump to Mars.

Mr. President, that would have been a $500 billion undertaking to go to Mars, or attempt to go to Mars, with a manned spaceship in the first decade of the new century—$500 billion. We said—we said, meaning this Senate, particularly the leadership of Mr. ALBERT GORE, now our Vice President, then the chair of the Subcommittee on Space in the authorizing committee—and I said, "No, we are not building condos in the sky." Sure in heck we are not building condos in the sky when we have homeless in the streets, when people are wondering whether they are going to afford their home, and kids have their first mortgage called student debt and wondering where they are going to work.

Condos in the sky are not going to be built. But do we need a space station? And the resounding answer is "Yes." Yes, for scientific research, not a man in the can to rotate around the orbit to show an endurance contest. We do not want a man in the can, no more than we want a man in the condo or now, thanks to Dr. Sally Ride and other women astronauts, a woman in a condo in the sky, a woman astronaut. We said significant science.

So we already stopped a $500 billion—"B" in billion, "B" as in Barbara, not

"M" in million, like in Mikulski. So we have stopped that. That was our first big cost-cutting effort.

Then when we looked at the design of the space station, we felt we could get a design where we could do significant science, bring us in a fiscal discipline and at the same time meet the agreements we have with our international trading partners.

President Clinton, who also wanted to be sure that all questions were answered on not only the desirability of the space station but the viability of it from both the scientific and fiscal standpoint, ordered a review. They have come up with a design that has now cut $2.2 billion off the cost of the space station.

While we were doing that, we were able to, because of a Vice Presidential initiative under the direction of the President, reach across the Atlantic and those barriers that normally divided us, like the Berlin Wall, like the Warsaw Pact nations, to the Soviet Union on a cooperative basis, using the best of their technology, working with an American-led space station could save us time in getting in space and save us money in getting in space and, at the same time, for those scientists who are rocket scientists, who are geniuses at propulsion, to put them to work on this civilian cooperation in terms of the American-led space station. And there will be international laboratories of the Japanese, of the Canadians, and of the European consortium.

My gosh, my gosh, when President Reagan was here speaking during a State of the Union Address and called the Soviet Union the evil empire, when we thought its leadership resembled Darth Vader, to envision an opportunity where, on a bipartisan basis, whether working with all Presidents, that we would now bring to an end the cold war—and special recognition to President Bush for his deft leadership on this—now to think that instead of the evil empire, scientist to scientist, to think about how we can come together and create a space station that will do life science, that will look for cures for cancer, that will look for other answers in life sciences and others, I think what we all hope to be.

We funded NATO to bring an end of the cold war. We stood sentry over all of the forces that were poised against the United States. We were smart enough at the end of World War II to reach out to the German scientist named Wernher von Braun and his whole crowd and say, "We know you were developing rockets to bomb London and maybe even a new device that would have reached the United States of America, but the war is over. And now the war for our future begins."

So we brought the German scientists to the shores of the United States of America and, working with the American scientists, we took their propulsion genius and our American know-how and we created that American space program. We would not have gone to the Moon, we would not have a space station unless we had done that effort with the Germans at the end of the war. We put aside old hostilities, we put aside old antagonisms and old bitter feelings and worked with the Germans, whose names now are Werner von Braun and the rest is American history.

Now we have an opportunity to do that same type of thing. No more Darth Vader, no more evil empire, but scientist to scientist. Instead of inventing propulsion devices aimed at each other, we will come together on propulsion mechanisms that will take us into space. Yes, this is the space station. Other devices that will take unmanned propulsion devices into space——

Mr. BENNETT. Mr. President, will the Senator yield for a question?

Ms. MIKULSKI. Only when I finish my point I will be happy to yield.

And then hopefully beyond, hopefully beyond. I think this is a very reasonable undertaking.

In a letter the Vice President of the United States sent to me, he talks about how "The redesigned space station—referred to as space station *Alpha*—results from NASA's intensive review and redesign conducted over the last 6 months." It offers an unprecedented opportunity to achieve international cooperation in space.

He says, and I quote:

> Russian Prime Minister Chernomyrdin and I, under the auspices of the joint commission that we chair, have directed NASA and the Russian Space Agency to continue studying ways to incorporate Russia's space capabilities into the station for the mutual benefit of our countries and our international partners.
>
> * * * It is important to realize that this initiative on space cooperation fits into the context of a much larger partnership with Russia, a relationship that will redefine the post-cold war era.

Mr. President, I truly believe that the strategic considerations and the budget cutting need to be understood as we vote on this space station. I know other Senators are here and wish to speak. I have more to say about the space station. Let me answer the question of the Senator from Utah, and then I will be happy to yield the floor for those Senators who have not yet spoken.

I yield to the Senator from Utah for a question.

The PRESIDING OFFICER (Mr. LIEBERMAN). The Senator from Utah.

Mr. BENNETT. Mr. President, I thank the Senator from Maryland for her expertise and her background on this. Being new to this body and this issue, I hope she can enlighten me.

It is my understanding—and I ask for confirmation and clarification—it is my understanding that other countries have made significant contributions, not only in terms of scientific expertise but also in terms of appropriated funds from their own governments on the basis of what they consider to be a contract with the United States, and that if we were to withdraw at this point, it would be breaking faith with that, indeed, might even constitute a breach of contract. Is that a fair understanding?

Ms. MIKULSKI. The Senator from Utah, though new to the Senate, is certainly well versed in this issue. The Senator is absolutely correct. The Canadians, the Japanese, the European consortium, made up of France, Germany, and Italy and other international partners, have appropriated funds for their laboratory work and other aspects of this space station. They regard this, and their participation with us, as having a treaty-like status. If we terminate this, they will view it as rupturing a treaty on scientific exploration and cooperation.

Mr. BENNETT. So it is the Senator's understanding that cancellation of this program would be more than just a unilateral domestic decision, it would have implications overseas that could produce very significant consequences; is that a fair statement?

Ms. MIKULSKI. It would have enormous consequences in terms of our relationship with these nations that have been our friends in war and peace. And we want to maintain a relationship with them, and also if we break this covenant with them, they will regard the United States of America as an unreliable partner on any other scientific endeavor or opportunity for scientific joint cooperation.

Mr. BENNETT. I thank the Senator for the clarification. I find that a very significant aspect here that has not been aired in the press, and I think in and of itself is a very strong argument in favor of the space station.

I thank the Senator.

Ms. MIKULSKI. I thank the Senator. Mr. President, I yield the floor. I note other Senators are waiting.

Mr. WARNER. Mr. President, before the Senator yields the floor, will she take one other question?

The PRESIDING OFFICER. The Senator from Virginia has a question for the Senator from Maryland.

Ms. MIKULSKI. I will be happy to yield.

Mr. WARNER. I thank the Senator. I think that is an important question raised by our colleague, but I would like to draw the Senator's attention to a report issued by NASA in September of 1993, current. On page 4: "International Partners' Assessments." Is the Senator familiar with the paragraph that reads:

> Following NASA's formal invitation on July 21, 1993, the International Partners participated in the Space Station Transition Team activities. The International Partners

acknowledge the progress made by the Transition Team to consolidate a Station design based on Option A as proposed by the Redesign Team.

However, recent and significant changes to the configuration, without the necessary substantiating data being made available to the partners, have made it impossible for the partners to complete their overall assessments for inclusion in this report.

Now, Mr. President, I feel that that shows less than a strong coalition of other nations that are totally dependent on this program. To me, that is an indictment of the many things that we have brought forth in this debate.

Ms. MIKULSKI. Does the Senator want me to answer?

Mr. WARNER. Yes. I ask the question.

Ms. MIKULSKI. Mr. President, to respond to the distinguished Senator from Virginia, this is the report. This new involvement in the space station, particularly with the Russians, was a development in late August. Because of certain strategic situations, they could not get all of the details.

It is my understanding from both Mr. Goldin and the White House itself that our international supporters, our international partners, are fully supportive of this and have ratified the design, the so-called *Alpha* station design.

Mr. WARNER. Well, Mr. President, may we read on just one more sentence, and then I will yield the floor. The next sentence:

Furthermore, the Partners were provided with only a minimum of general information concerning Russian participation, as the results of the U.S.-Russian study were not available until August 31, 1993. The Partners are concerned that the configuration identified in this report lacks the necessary review and maturity.

Mr. President, I find that far short of a ringing endorsement.

Ms. MIKULSKI. Mr. President, responding to the distinguished Senator from Virginia, I do not consider that an indictment. We were in the process of redesigning the space station. This tremendous opportunity occurred late this summer for Russian participation.

What our international partners are worried about is that whatever is done would have enough power to sustain their laboratory modules, and they wanted it specific, they wanted it definite, exactly because they bankrolled a lot of this, as the Senator from Utah raised a few seconds ago.

It is now my understanding that those questions have been answered for the Canadians, for the Japanese, and for the Europeans.

Mr. WARNER. Mr. President, if that is the Senator's understanding, is there any documentation that the Senate might refer to?

Ms. MIKULSKI. I bring to the attention of the Senator from Virginia the letter dated September 20, from the Vice President of the United States, in which he says:

Russian Prime Minister Chernomyrdin and I, under the auspices of the joint commission that we chair, have directed NASA and the Russian Space Agency to continue studying ways to incorporate Russia's space capabilities into the station for the mutual benefit of our countries and our international partners. It is our goal that the space agencies of the United States, Canada, Japan, Europe, and Russia work together to produce a more detailed plan by November of this year for Russia's participation in the international space station.

What the Vice President is essentially saying is we are all moving in the same direction, and the international partners are fully supportive of this effort.

Mr. BUMPERS. Mr. President, will the Senator from Maryland yield for an additional question?

Ms. MIKULSKI. Does that answer the Senator from Virginia?

The PRESIDING OFFICER. The Senator from Maryland has the floor.

Mr. WARNER. Mr. President, I have to say, in all fairness, no, because I referred to the same letter to which the distinguished manager, the Senator, referred to: September 20, 1993, from the Vice President to the senior Senator from Texas. In the second paragraph, he states:

The redesigned space station—referred to as space station *Alpha*—results from NASA's intensive review and redesign conducted over the last six months with the help of other government agencies and overseen by a panel of outside experts. *Alpha* is a streamlined version of the original space station *Freedom*. It incorporates scientific facilities and capabilities comparable to or better than space station *Freedom*.

Now, what do we have in the way of documentation to show that it is comparable to——

Ms. MIKULSKI. I can only say to the Senator, I will be happy to arrange a phone call for him over the next 45 minutes with Mr. Goldin, the director of NASA, to reassure the Senator.

We submitted a series of questions to NASA and the White House in anticipation of this robust debate, and one of those questions that we submitted was—and I will then give their written response:

How are our current partners viewing this program? Are they concerned that we will build a phase II program with the Russians and stop there?

Essentially, anticipating the sensible questions raised by the Senator from Virginia. What they then say back is this:

The partners have expressed their support for examining the possibility of Russian participation in the station. Like us, they will be assessing the November 1 plan when it is complete. In addition to that, the partners are working with us for a review of the final design due November 1.

Now, you might say, well, what are we buying? That would be an excellent followup question. Do we know what we are buying?

Well, that is exactly why we fenced half of the money, so that we do know in detail what we are buying. Right now, what we have is assurances that everyone is moving in the same direction and supportive subject to the final design being done November 1.

The distinguished Senator knows from his work on the Armed Services Committee, science and technology can not be rushed to meet a parliamentary deadline. So we then fenced the money. There will be the final design November 1, at which we anticipate all of their questions will be answered, as they are now.

Mr. WARNER. Mr. President, I thank the distinguished manager for entering into a colloquy. I will have further questions. But I see my colleague from Arkansas seeking the floor.

Ms. MIKULSKI. Would it be helpful to the Senator from Virginia if he did have a conversation with the Director of NASA?

Mr. WARNER. Mr. President, I assure the manager that Administrator Goldin attended the noon conference of the Republicans, at which time I had a chance to question him very carefully about the costs; and I may address in later remarks his response.

Mr. BRYAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. MIKULSKI. The Senator from Arkansas had asked if I would yield.

Mr. BUMPERS. Mr. President, the Chair just recognized the Senator from Nevada, and I would like to ask him to yield to me for a moment to ask the distinguished chairman of the subcommittee a question.

The PRESIDING OFFICER. The Senator has yielded to the Senator from Arkansas.

Mr. BUMPERS. I heard Senator HARKIN, who has voted to cut the space station, a moment ago say he was changing his vote to vote for it this year because of this monumental accord between the United States and Russia. And there is $100 million in this bill, incidentally, for Russia. But I wanted to ask the distinguished chairman if she is aware of this. This is a UPI press story just off the wire:

President Boris Yeltsin dissolved the Russian Parliament late Tuesday and ordered new legislative elections, a move he said was designed to save the country from chaos, disintegration, and catastrophe. He told a nationwide television audience that this was the only way to overcome the crisis that's plagued the Russian Government, hampered reforms, and threatened a political breakdown in Moscow's fledgling post-Soviet democracy.

It goes on:

Yeltsin's abrupt announcement promises to stir a strong reaction from legislative leaders who oppose Kremlin policies and who have been warning that Yeltsin had planned to declare Presidential rule. In anticipation of Yeltsin's announcement, present Parliament Speaker Khasbulatov, Yeltsin's archrival, summoned legislative leaders and other top Government officials to the Kremlin, including the country's top judge, Vice

President, the chief prosecutor, and the head of the Army General Staff, to an emergency meeting.

In light of that, does the distinguished chairman still think this is a great idea, to get in bed with Russia on this?

Ms. MIKULSKI. The Senator's first question was, was I aware of what the Senator just read from UPI, off the wire? The answer is no. In anticipation of the many questions I knew the Senator was going to raise in the debate, I have been devoting all of my time to pouring over the information on the space station.

I thank the Senator for bringing to the Senate floor the version of Hanoi News and bringing to me this most stunning announcement. That is exactly why I think we need this cooperation, because that part of the Soviet society which is held together, one, by a code of scientists who have their own code of cooperation, and the fact that it is in this cooperation with Soviet scientists that we will be able to help that society hold itself together and at the same time get something from it which is saving time and saving money and accomplishing our own national agenda with international partners.

It will enhance, I think, the situation there. And the fact that Mr. Yeltsin called for an election and has faith that an election will take place, I think is a tribute to the fact that democracy in the Soviet Union has taken hold. They are not doing it with a coup. They are not doing it with tanks. They are not doing it with a stand down of nuclear weapons. They will be having their elections so that there is confidence in the Government; and at the same time the fact that they would know that one of the anchors will be scientific cooperation with the United States, I think will be a significant stabilizing force focused on civilian research.

Mr. BUMPERS. Would the chairman's answer be the same if tomorrow morning she picks up the paper and finds out the army is taking over Russia?

Ms. MIKULSKI. Hopefully the vote will be done on the space station before tomorrow.

Mr. BRYAN. Mr. President, I reclaim the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. I thank the President.

Mr. President, I rise in support of the amendment offered by the distinguished senior Senator from Arkansas to eliminate funding for the space station, as I have done in each of the prior years since I joined this Chamber.

I serve on the Senate Commerce Committee. I am not unmindful of the efforts that have been undertaken to revise and to modify the space station. I acknowledge that those efforts have been with the best of intentions. Unfortunately, no amount of revision or fine tuning can correct the fundamental flaw of this program; that is, we do not need it, and we cannot afford it.

It has been 9 years since President Reagan proposed the development of the space station at an estimated cost of $8 billion. Even at that price, the merits, cost effectiveness of the space proposal were always somewhat questionable. By the end of this year, we will have spent more than $11 billion on the program and we are still not even close to completing the project.

Earlier this year President Clinton ordered a redesign and reevaluation of the space station program. NASA was instructed to prepare space station options which could be completed in 5 years at three different levels of funding, $5, $7, and $9 billion.

NASA has completed its study and presented its results to the President. None of the options developed by NASA meet any of the cost targets. In fact, all of the options are several billion dollars more expensive than the most expensive option requested by the President.

Furthermore, none of the options developed would result in an operational space station by the end of the 5-year period which was the parameter requested in the President's revision directive to NASA.

In spite of NASA's failure to meet the President's targets, NASA intends to move forward with the space station at a cost during the current fiscal year of $2.1 billion. As many of our colleagues have already pointed out, we are being asked to provide $2.1 billion for a project whose final design and mission has yet to be defined. The total cost of the scaled back and revised space station program, including interest, is now estimated to be more than $100 billion. This program has been marked by cost overruns, management problems, multiple design changes, and a lack of a consensus overall on its mission.

Mr. President, the time has come to cut our losses, and terminate this program.

I am well aware of the arguments raised by the space stations defenders. I understand the problems the termination of the program may cause for NASA, particularly with regard to our international partners, the subject of the colloquy just transpiring on the floor between the distinguished manager of the bill, and one of my other colleagues.

I understand also that some are concerned that without the space station NASA may be left with a limited manned space travel mission. And I further understand the potential research benefits of the space station, although I also believe that much of this research can be conducted in other than a space station.

Finally, I understand and completely sympathize with the job losses, that may occur in the aerospace industry as the result of the termination of this program. Unfortunately, none of these arguments are persuasive. The current budget situation and our massive Federal deficit simply do not allow us to fund every potentially useful program.

Mr. President, a few weeks ago this Chamber reverberated with the oratory and rhetoric of those who are committed to deficit reduction. One Senator after another rose to express his or her commitment to reducing Federal expenditures, and some of our colleagues predicated their vote against the President's budget proposal because the spending cuts did not come up front as they desired, and the increased tax measures were up front and, indeed, in some instances retroactive.

Mr. President, now is the time to redeem that oratory, to have our actions match our rhetoric, something which this Chamber has not distinguished itself in, in recent years.

It is clear to me that the major benefits to the space station are derived from the process of constructing the station, the employment that may be realized, the international prestige, and the stimulation for the aerospace industry.

The actual goals and supposed mission of the space station actually contribute very little to the efforts to defend the program. The space station and other massive science programs, such as the superconducting super collider, will continue to cause significant problems in our Nation's efforts to prioritize our scientific research efforts. Big ticket science is not necessarily the best way for us to go as we seek to develop a more competitive economy in the international marketplace and place more of our natural resources in research and development in the civilian sector as opposed to the military sector.

If we continue to build the space station, other potentially more important research programs will need to be cut. We will continue to fail to bring the deficit under control. Given its questionable benefits, the space station is little more than a somewhat short-term employment program for the aerospace industry.

I understand the pressures faced by that industry and the desire of the communities that are affected by that loss of employment, to keep this program going.

Unfortunately, the long-term solution to the problems in the aerospace industry cannot be solved by what amounts to a multibillion-dollar subsidy for a program that we do not need and we cannot afford.

Mr. President, I urge my colleagues to support the amendment offered by the Senator from Arkansas to terminate this program and thereby achieve some savings which can go to offsetting the mounting national deficit.

I thank the Chair and yield the floor.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, I say to any Senators waiting that I understand there is no time sequence, but I will try to be as brief as I can. I understand Senator METZENBAUM has been waiting also.

Mr. President, there are a few Senators I would like to compliment. Obviously, the distinguished Senator from Maryland has done a wonderful job on this bill, although I do not agree with it in every respect. In fact, I hope there are additional amendments that might seek to restrain other areas of the HUD appropriations bill. But I think she and the new ranking member, the Senator from Texas, Senator GRAMM, have done a good job of putting this bill together. I hope we will get the support of the Senate, with the issue before us intact as it has been presented by the Appropriations Committee.

I am sure the good Senator from Arkansas will wonder why I am going to congratulate him—that is, Senator BUMPERS—but I am, because he has won, frankly. Through his efforts over the years, this program has been dramatically reduced. But not only that, real firmness has been built into it by the new director, appointed by President Bush, retained by our new President, at least thus far, because of the admonitions here on the floor of Senator BUMPERS and others about this being a runaway program, about it needing some real management. That has all been done.

As a matter of fact, the President of the United States—and I really do not believe, having just gone through the budget fights, that he would be asking for a program here for this space station that would be out of control, that would not have definition to it, and would not have new management.

All of those things can be attributed, to a significant degree, to Senator BUMPERS and his allies, who for years have been asking that we cut this program out. It is amazing to me, when you take a program of such importance to our Nation—after all, it has been said here on the floor, and I repeat, if we are anything as a Nation, besides having our culture and our spiritual values, we are a country of technology. And if we are not at the cutting edge of technology, applied to business and development, yielding good, high-paying jobs, we are nothing.

As a matter of fact, the most significant problem with America's future is not that we will lose low-paying jobs to Mexico, but rather that we will lose high-paying jobs to the world, because we are not at the cutting edge of high-value jobs through applied technology.

Everybody knows, whether it has been perfect or not, NASA and the space program has been cutting-edge technology. It has been the magnet attracting young people in America to become engineers and scientists and space engineers and physicists, and it has yielded a myriad of spinoff technologies that continue to enhance our capability to compete day-by-day. Why should we terminate a program when in response to congressional critics, led by our friends here in the Senate who want to kill the program, when this program of such significance to ourselves and the world has already accomplished a mission of being a budget saver?

The amount of money to be spent on this program before the President of the United States and the new director got together and said let us make more management sense and let us put some realism into the dollar numbers—that may never have happened but for the arguments here on the floor of the Senate.

I understand that, contrary to what has been said on the floor of the Senate, this program does have a given amount of money and a given number of years after which you will either have a space station ready to go, or you will be ready to go on a space station, or you will terminate the program. I do not know how much more management we can build into a program as difficult as this. But I have very significant trust in the new director. I have read some of the things he has done. They probably should have been done 10 years ago or 9 years ago. In fact, I say to my friend, the new Senator from Texas, I believe the idea of having a lead American industrial company take the top rung of managing this program, and do it as a business—which Boeing is now doing—is long overdue. I understand from some readings that it was a typical bureaucratic nightmare until that occurred.

So I close my remarks today on this part of my argument, and by saying, let us compliment the director, the administrator, the President, and the NASA hierarchy for coming up with a realistic program that we know how much we are going to spend on, that is going to achieve very significant goals and tests. Within the next decade, we are going to be proud of the fact that we defeated the amendment of the Senator from Arkansas today and proceeded with one of America's true technological potentials that may indeed keep us on the cutting edge for a while longer.

There is another argument being made—and perhaps some of it is directed to Senators like myself and others—which says, "You have been talking about cutting the budget first. Why do you not accept this one?" Mr. President, I hope some Senators on our side—and I will join them—will pick a program or two out of this appropriations and say we would like to cut it out. It fits what we think we ought to do. Perhaps it is the community development block program, which is $175 million more than the President asked. It is our privilege to say that is a program we do not think we need. Let us take it out and lower the caps so we save money. But does that mean that because we are for cutting the budget that we have to assume we are in accord with any program that any Senator wants to take out of our national budget? Does it make sense that because we want to cut the budget, that somebody comes to the floor and says, take two more divisions out of the U.S. Army, which has already been reduced, but for you Senators, the other side talking about cutting the budget, here is your chance.

Mr. President, what if we do not agree that we ought to take two divisions out of the U.S. Army, and we think we ought to leave those and cut somewhere else? So while I was one who suggested—and perhaps it caught on here in the Senate—that if you are going to cut a program, you ought not run around and say you are cutting the budget, unless you cut the budget. So they have incorporated in their amendment that not only would they cut the program, but the allowable money to be spent in the next 5 years would be reduced proportionately. I compliment them for that idea. In fact, I think we ought to use it on some other programs when we try to do that. I hope that everyone knows if we do not support the cuts—that is, the space station—then we are not denying that portion of this amendment which says cut the budget proportionately. We are not denying that. It is relevancy, and it is important to the future of a realistic budget plan.

Mr. BUMPERS. If the Senator will yield for a question. If a point of order is made because of the provision we put into this amendment really to satisfy the senior Senator from Texas and people like the distinguished ranking member on the Budget Committee—we put this in here to say the $2 billion in this bill that we propose to cut cannot be spent for anything else except deficit reduction—and you just got through applauding us for that, am I correct?

Mr. DOMENICI. I did.

Mr. BUMPERS. Does that mean you will vote against the point of order?

Mr. DOMENICI. If that comes to the Senate on this particular amendment, I will.

Mr. BUMPERS. Vote against it?

Mr. DOMENICI. To those that say it is subject to a point of order—I say to the Senator that he was not here, but I congratulated him on two counts.

Mr. BUMPERS. I was watching, Senator.

Mr. DOMENICI. The part that you have actually saved the United States—whether your amendment passes or not on this program, you

have saved billions of dollars. I congratulate you, because this program was not what it is today until you started your amendments to try to kill it.

I merely suggested I think it is in good shape, it is fixed and determinative, and it has a given amount of money and goals, and I do not know why it ought to be asked to save more than what the President requested and what the new Administrator requests.

Mr. BUMPERS. I thank the Senator.

The PRESIDING OFFICER. The Chair recognizes the Senator from Ohio [Mr. METZENBAUM].

Mr. METZENBAUM. Mr. President, first I would like to compliment the Senator from Arkansas for his leadership in this area. He has been on the floor over a period of years and waged the battle for many of us, and we owe him a great debt of gratitude.

Second, I would like to compliment the manager of the bill, the Senator from Maryland. There is no more dedicated Member of this body than is she, and she has fought for human services programs and education issues having to do with working people.

It so happens on this particular issue we are in disagreement, but the fact is she is a magnificent Senator. And I was pleased to follow my colleague and friend from New Mexico on whose committee I used to serve, on the Budget Committee, because there has been no stronger voice for cutting out fat in the budget, no stronger voice for deficit reduction, no person who has been on the floor more hours, more time than he in trying to balance the budget. Therefore, it is with a great sense of concern that I hear him here today opposing the amendment of the Senator from Arkansas.

As a matter of fact, the Senator from New Mexico indicates his point of view. He wants this program but not some other programs, and I gather they are human service programs because he said something like he hopes that other parts of this bill, other areas in this HUD bill, can be restrained. I think that is really what the issue is.

There are some people on the other side of the aisle that would like to cut and cut and cut programs having to do with the quality of life in America, with the opportunity of people to get adequate medical care, with the opportunity for people to get food and drugs, and I mean pharmaceutical drugs, and the opportunity to send their kids to school, their opportunity to be able to provide clothing for them. But when there comes along a project that means it is good politically for them in their community, forget it. Forget it. We take a walk. Now we are no longer for budget cutting. Now it is in the Nation's interest to move forward.

It is amazing to me, absolutely amazing to me, that the very same Senators who argue day in and day out that we need to cut spending to get the deficit under control are suggesting that we ought to spend an additional $2 billion building the space station next year; and there will be additional billions and billions after that, as has already been described by the Senator from Arkansas.

It is always this same crowd, the ones who want to graze their cattle on Federal lands, who want extra minerals for free, who grab big porkbarrel projects like military bases and the so-called superconducting super collider for their States. They are the ones, the very same ones, that we meet on the floor. They have the loudest voices. They write the articles. They are the most best speakers when it comes to talking about how terrible the deficit is. "But be sure it does not cut the deficit in my backyard," say they.

All the while they try to cut nutrition programs for poor families and medical care for senior citizens, they stand up here and fight for the super collider. They fight for the largest defense spending. They fight for the space station. But do not cut anything that is in their own backyards.

Here they are again today, the very same people, the very same spokespersons trying to sell the space station as a wonderful achievement, and turning to the Senator from Arkansas and giving him credit for bringing about a scaled-down, $22 billion bargain.

I say that it will cost $72 billion before it is over, $72 billion before it is over. And I must say that I have difficulty in understanding how we can, on the floor of the U.S. Senate, vote to provide $100 million for the Russians in order to join in this program. What kind of thinking is that?

I understand the whole question of foreign aid. I understand the question of goodwill to your neighbors. I understand a lot of things. But I do not understand providing $100 million in this bill to the Russians. We already spent $11 billion and today there is not anything that looks like a space station except pictures.

As a Congressman from Ohio who chairs a similar committee dealing with the subject over in the House says, we are spending $8 million a day for the space station, and we do not have any space station. It is a fact that this project has taken on all the odious characteristics of a jobs program, Mr. President. To me this is incredible.

So often here people are not willing to support a jobs program, some particular kind of program that describe itself as a jobs program. Some program that may cost a very modest amount per employee in a jobs program. But they are willing to spend whatever it takes for a space station, and those people get paid 2, 3, and 4 times as much as those that we provide for in direct jobs programs.

Jobs for defense and aerospace contractors and in this case a situation with little scientific merit, and we are willing to pay the money and say we have to do it because it is good for that community, or good for that community, whatever the case may be.

There is no national security need for this program, none whatsoever. It is simply an outdated luxury, a laboratory in outer space. It is an incredible waste of money.

Will it tell us anything about Mars or the solar system, or the galaxy or outer space? Not in the lifetime of anybody that is in this body at the present time.

No, it is an opportunity to keep the astronaut-manned space exploration in business. And I think it is time to call a halt for this needless waste of the Federal dollars.

The Air Force cannot give up on its manned bomber, even though it is obsolete. And NASA cannot give up on its manned space station, even though it, too, is so obsolete.

This project has cost the taxpayers billions upon billions of dollars; and what do we have to show for it? GAO says it will cost $40 billion to finish. The Senator from Arkansas indicates it will cost $72 billion, and I am prepared to accept his figures on that score.

But whether we are only just a minimum of $40 billion, $72 billion, what difference does it make? We have money to blow. We do not need to worry about the deficit. The deficit is not very material. Unless it comes to human service programs. Then it becomes extremely material.

According to the GAO the cost of this project will actually be $100 billion through the year 2027 after figuring the cost of maintenance, transportation to and from space, and the cost of money. We are going to have to cut funding in other science programs. We are going to have to cut veterans care. We are going to have to cut housing and environmental protection. All programs to keep funding NASA in the VA-HUD spending bill are going to have to be cut as much as $13 billion over the next 5 years to pay for the space station.

I say to my colleagues who are supporting this and who are always in favor of deficit reduction: Have you no shame? Have you no shame that you can speak out of both sides of our mouth? Are you not embarrassed by your position of talking always about cutting and then coming out here and spending $2 billion for the space station? Would you not prefer to have this vote taken in secret, or maybe not have a rollcall vote? Would it cause you a little bit less embarrassment?

But the amazing thing is those who are going to vote for it, they do not seem to be embarrassed. And I have difficulty in comprehending how intelligent people cannot be embarrassed in making this vote where they have been talking about deficit reduction, deficit

reduction, balancing the budget over a period of months.

I believe that this space station program is a ripoff. I believe we ought to kill it once and for all. I believe we ought to agree to the Bumpers amendment.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maine [Mr. COHEN].

Mr. COHEN. Mr. President, last evening I took the floor and advised my colleagues that there were, of course, a number of priorities we had to discuss as Members of the Senate, and while exploration of space is very important to all of us we have to start drawing some distinctions and making some discriminating choices. I told my colleagues we were holding hearings this morning in the Governmental Affairs Committee at which we learned that environmental cleanup will cost the Federal Government about $500 billion. A half-a-trillion dollars will now be extracted from the pocketbooks of the taxpayers of this country. That works out to roughly $2,000 per person for the American people.

So when we start evaluating where we are going with our programs we have to be somewhat discriminating. If we were in a robust economy, if we had billions of dollars to spend, we could say let us spend the extra money to explore space through this space station laboratory. But I think we have to come back to Earth to look at the nature of the problems we are confronted with here.

Last night we heard many interesting arguments for the space station. They were interesting because of their surreal character.

The proponents argued that the space station is needed to advance our research against cancer. I think that is fair enough. Cancer is a terrible affliction and anything we can do to help find a cure for cancer we ought to do. So if that is the purpose of conducting research in space, in order to find a cure for cancer, let us support it. But the question is, If this is for research into cancer, why does the American Association for Cancer Research oppose the space station as being of "little scientific or technical merit"?

Last night they argued the space station is needed for groundbreaking research on crystals. Fair enough. I think the next logical question is, Why is the space station opposed by the American Crystallographic Association, association of American scientists who study crystals?

It was argued last evening that the space station is needed for research on semiconductors, the heart of modern electronics. The question is, Why is the space station opposed by the Institute for Electrical and Electronics Engineers?

The proponents last evening argued we have to proceed because Germany and Japan have invested in this station and their scientists are counting on it. Fair enough. The question is, Why do the primary professional societies of physicists in Germany and Japan oppose the space station?

Last evening the proponents argued it was needed for research in life sciences and microgravity studies. Again, fair enough. But why has the National Research Council declared the station "does not meet the basic research requirements for life sciences research (or) microgravity research"?

Why did Science magazine call it "90 percent public works, 9 percent public relations, and 1 percent science"?

The simple fact is, we have a surplus capacity for space-based research with Spacelab and Spacehab laboratories on the shuttle and the program to give the shuttle long-duration capability. We cannot even use the capacity we already have.

The simple fact is that starting up this new space station program is going to squeeze out funding for NASA programs that are worthwhile. This very bill cancels a space-based x-ray telescope because of the rising costs of the space station.

All the arguments that were advanced last evening do not seem to hold up to analysis when nearly every scientific group that is responsible for conducting the research in those various fields is strongly opposed to the space station. But let us go beyond the merits of the argument and look at its affordability.

While space station proponents cannot tell us exactly what the new station is going to look like or how much it is going to cost, they give us the comforting assurance it will cost less than space station *Freedom*. Small comfort to the American taxpayer.

We cannot afford the $70 billion it is going to cost to construct this new version of the space station any more than we can afford the $120 billion that was allocated for *Freedom* itself—space station *Freedom*. We cannot afford to take this money from the pocketbooks of our children, which is precisely what we are doing here. We are robbing our children of their future.

NASA cannot afford it. As I pointed out last evening using this chart, here are the numbers. The Clinton-proposed budget for NASA, that is the red line. The green line is NASA's program plan. And there is at least $10 billion difference, perhaps closer to a $15 billion or $18 billion difference. If the space station proceeds, the only way they can eliminate that difference is by cutting out programs that are far more worthy.

Last evening I was accused by the Senator from Texas of quoting the humorist Dave Berry as an expert on science. In fact, if you look at the RECORD, I quoted real scientific experts from the National Research Council to the American Association for Cancer Research, all of whom oppose the space station. And I cited Dave Berry as an expert on the preposterous. That is why I cited Dave Berry.

What is preposterous is the fact that interest payments on the Federal debt will equal 57 percent of all the Federal income tax taken from the American workers. The American people worked from January 1 to July 27, and every cent they paid in Federal income tax went just for interest on the debt. Not for any of the programs that help to sustain this country's economy.

Now we are being asked to spend even more of those hard-earned dollars on this. After spending $11 billion on space station *Freedom*, we are now going to have to pay another $160 million to terminate *Freedom* and then another $2 billion to start a new program. After, as I pointed out last evening, my colleague from Texas said this redesign process was "robbing proponents of any real ability to make a credible, reasoned argument in favor of continuing the program." But here they are making a noncredible, unreasoned argument in favor of the program.

Then we add the Russian card. We now see played the Russian card. The Russians are being brought on board and so proponents now want to add another $100 million. It sounds like a mere bagatelle, when we deal with a $6 trillion economy, and $300 billion deficits. What is another $100 million to add on for the Russian participation?

I can understand the concerns of the thousands of people in Texas and elsewhere who work on this program, but my concern is with the tens of millions of taxpaying workers who see half of their Federal income tax going for interest on the debt and much of the rest being squandered on unjustifiable, programs.

My concern is for the American children who may see two-thirds of their Federal income tax go for interest on the debt because we keep piling up these astronomical deficits, year after year.

My concern is for those scientists who are doing the research on cancer, crystals, semiconductors, chemistry and physics—scientists who almost uniformly say that proceeding with the space station is going to waste money that could be better spent on real research to fight cancer, advance science, and improve our economy.

Mr. President, for years the proponents have justified space station *Freedom* with the Delphic declaration that it was "the next logical step." Now NASA itself is terminating space station Freedom. And the next logical step is to stop throwing money into a black hole in space.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maryland, the Chair of the committee.

UNANIMOUS-CONSENT AGREEMENT

Ms. MIKULSKI. Mr. President, I know the hour is growing late, and we have had substantial debate on the space station. It is now my desire to propound a unanimous consent agreement, to see if we could establish a time certain.

I am therefore asking unanimous consent that we vote at time certain, at 4:30 p.m. today, and that the remaining time be equally divided, 15 minutes proponents, 15 minutes opponents. The ranking minority and I would control the time for the proponents; I believe the Senator from Arkansas would control the time for the opponents.

The PRESIDING OFFICER. Is there objection?

Several Senators addressed the chair.

The PRESIDING OFFICER. Senator from Arkansas.

Mr. BUMPERS. I would like to object. I am anxious to accommodate the Senator from Maryland in getting a UC. We have right now, of course, Senator DORGAN who wants 3 minutes, Senator WELLSTONE 3, Senator EXON 5, that is 11, Senator SASSER wants 5, I want 5.

Let me suggest that we vote at 4:45.

Does Senator WARNER want some additional time?

Ms. MIKULSKI. Yes. And we would of course need to protect Senator WARNER's time. He has declared that.

Mr. GRAMM. A vote at 4:45 would still work.

Ms. MIKULSKI. I believe Senator BYRD.

Mr. BUMPERS. I do not know how much time Senator WARNER wishes. He wants 5 minutes?

Ms. MIKULSKI. Senator WARNER has agreed to 10 minutes.

Mr. BUMPERS. He wants 10? That is 21—that does not leave Senator SASSER or me, either one, any time to wrap it up.

I suggest we make it 5 o'clock.

Mr. COHEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Maine.

Mr. COHEN. I am advised that Senator WARNER has not indicated whether he is prepared to vote at a time specific. I would like to have an opportunity to—

Ms. MIKULSKI. With all due respect, I know the Senator from Virginia and I have been engaged in conversations about this issue. I am trying to accommodate. It will be my intention to move in a parliamentary procedure that will be nondebatable. It is within my rights now as the manager of the bill to move to table right this minute. It is not the desire of the manager of the bill to be sharp-elbowed or brusque. Last night, we debated until 10 o'clock, which was 4 hours. We are now in our ninth hour, I believe, of discussion on the space station. I really must insist, because of other amendments pending of equal importance, or certainly of significant importance, that we must vote on this amendment before 5 o'clock. I am trying to arrive at a framework. If there is not a framework, I want the Senators then to be alert to the fact that I intend to move to table within the hour.

The PRESIDING OFFICER. Does the Senator from Maryland withdraw her unanimous-consent request?

Ms. MIKULSKI. I will once more propound the request and, out of a spirit of accommodation, will ask that there be a vote at a time certain, at 5 p.m.; that in the hour that is now here, that there be 1 hour of debate equally divided between the proponents and the opponents.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Reserving the right to object, and I will not object, I just wonder whether one of my colleagues will be kind enough to spell me, since I will be presiding between 4 and 5, so I will have 3 minutes to speak on the floor.

Mr. BUMPERS. I promise the Senator from Minnesota 3 minutes.

Ms. MIKULSKI. Also as part of my unanimous-consent request, that there be no other intervening amendments to be in order prior to the disposition of the Bumpers amendment.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Reserving the right to object and I apologize, I stepped off the floor momentarily. Could I ask the distinguished Senator from Arkansas, in our previous discussions in private, I indicated the need for some more time for the Senator from Virginia. Am I assured that under this proposed agreement that the Senator from Arkansas, as the manager of the time for our side of this debate, that I could have, say, 12 minutes?

Mr. BUMPERS. The Senator did not provide for that. I promised the Senator from Nebraska 5, Minnesota 3, North Dakota 3, Senator SASSER 5. That takes more than our 30 minutes.

Mr. WARNER. Mr. President, under those circumstances, the Senator from Virginia will reluctantly have to object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland has the floor.

Ms. MIKULSKI. Because of the objections, we are now going to rout the very spirit of what we are trying to do. Because of other pending amendments, we must really move to other amendments after 5 o'clock. Recognizing the Senator's desire to speak, will 10 minutes be agreeable to the Senator?

Mr. WARNER. Mr. President, I will accept the 10 minutes.

Ms. MIKULSKI. What does that all add up to?

Mr. BUMPERS. The Senator from Virginia wishes 12 minutes?

Ms. MIKULSKI. Ten.

Mr. BUMPERS. North Dakota 3, Minnesota 3, Nebraska 5, Tennessee 5. That is 26 minutes on this side. Three, that cuts us to 24. That leaves me 5 minutes to wrap up. So that ought to do it.

Ms. MIKULSKI. Is there objection?

The PRESIDING OFFICER (Mr. WELLSTONE). Without objection, it is so ordered.

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. BUMPERS. Mr. President, I yield 3 minutes to the Senator from Nebraska.

Mr. EXON. Mr. President, I thank my friend and colleague from Arkansas. I have been listening to this debate. I also want to thank my friend and colleague from Maine for his remarks which I thought were exactly on point. I understand another colleague, with whom I have worked with very closely ever since I have come to the U.S. Senate, my friend from Virginia, will be supporting the Bumpers amendment.

I rise in support of the Bumpers amendment. I wish that I had more time to explain my reasons for this. But let me try and capsulize as best I can, Mr. President.

The vote that we are about to take on the Bumpers amendment is much more than whether or not we should have the space station. In the view of this Senator, it is a crucial vote with regard to whether or not we are sincere in this body by making the commitments that all of us have made in one form or another, especially during the recent debate on the deficit reduction bill that ended up in a tie vote in the U.S. Senate, broken by the Vice President.

I would say to the President of the United States, I think he is wrong for supporting this particular program. But everybody has a right to their opinion. I have not heard a good case made for the continuation of the space program on the floor of the Senate. I have supported that program in the past. I will not support it now. If we are going to get serious about doing something to reduce the deficit and then begin, hopefully, to tackle the national debt—and I compliment my friend from Arkansas for saying that the savings in this program would go to reduce the debt, that is what it is all about.

I will simply say, Mr. President, that last week we had three votes on a measure that has generally had the support of this Senator from Nebraska. That was the funding for the endowment for the arts. I voted against that. While I am for the arts, I happen to feel that if we are sincere in wanting to cut down the expenditures of the Federal Government, it seems to me we could eliminate the funding for the arts without causing too much concern to the average middle-class person in America.

It seems to me that if we will follow the advice clearly enunciated by the Senator from Arkansas with his amendment and the argument for that, we would say once again while it would be nice to have a space station if we could afford it, Mr. President, we cannot afford it. And if we cannot stop a program like this, and if we cannot stop the super collider that I understand is likely to be voted on sometime in the next 10 days, if we cannot stop programs like that, vast amounts—billions and billions and billions of dollars—then I say that we are never going to get anywhere in trying to reduce the expenditures of the Federal Government that the people of the United States of America are demanding.

I say to the President of the United States, I wish you were helping us on this. Since you are not, we want to help you, Mr. President, to keep your pledge.

The PRESIDING OFFICER. Who yields time?

Mr. BUMPERS. I yield the Senator from North Dakota 3 minutes.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, this space station is almost a perfect Government spending program if you have either a short memory or a fat wallet. This is a Government project that cannot do what it was advertised to do. The project will cost 10 times more than it was supposed to cost.

What does the Congress do in response to that? Does it kill a program that cannot do what it is supposed to do? Is it going to cost 10 times more than it should have? No, it nurtures it around talking about redesign. The fact is we have spent the first months of this year huffing, puffing, snorting, perhaps even bellowing in this Chamber about "cut spending first." Now we have a chance to see: Were those just slogans or were they promises?

On a project that cannot do what it is supposed to do, and costing 10 times more than it should, will we cut spending first or will we do as Congress so often does and say, "Let's not make tough choices?" If you are a Member of this body who really believes that we have a serious deficit problem in this country, you must ask yourself; who really believes we are spending a billion dollars a day we do not have, often on things we should not build; who really believes it is in our children's interest to get this problem under some control? Then at least step up to the plate on this project, one that we do not need, one that should not be built and especially one that should not be built with borrowed money, and decide to kill it.

I hope my colleagues will join me and stand up and make a tough choice today to support the Bumpers amendment and kill this project.

Mr. President, I yield the floor.

Mr. BENNETT addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. Mr. President, I yield 5 minutes to the Senator from Utah, and also ask a Senator who might be an opponent of the bill to, subsequent to the Senator from Utah completing his debate, relieve the Senator from Minnesota, so that he can participate in the debate.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, earlier today we were asked, those of us who have been talking about cutting spending, if we have no shame and if we have no embarrassment.

I rise with no shame and no embarrassment to support the space station because I ran for the Senate on the announcement that I would support the space station, and I ran for the Senate on the announcement that I was in favor of cutting the deficit.

People would say, how can you reconcile those two? And I would remind them of the statement of the old bank robber, Willie Sutton. People said to Willie Sutton, "Why do you keep robbing banks?" as he kept getting caught and going to jail. And he said, "Because that's where the money is."

The money is not in the NASA budget. Yes, there is some, but the NASA budget is now under 2 percent of the total. The money is in the entitlements.

I said in the campaign, and I repeat in this Chamber, if anybody wants to offer an amendment—at some point maybe I will overcome my freshman status and try it myself—to do something about the entitlements, I will do it, and that is where the money is. But I made it clear that I was in support of space, and I think it is important for me to tell you why I think the space station is important.

We hear a lot about our children's future, and we are taking money from our children to talk about the space station. I submit that we are doing this for our children. If we look at medicine today, we find that virtually everything that is practiced in medicine today came as a result of progress that was made in space.

Now we are talking about the next step. What do we mean by the next step? Let me try to put it in historic context very quickly, quoting from a speech Dan Goldin made in Utah just over the weekend.

At one point we were all helpless before the elements of nature, and then we learned to control temperature with the invention of fire. That changed life tremendously. And then they learned to change the composition of tools, the coming of the Bronze Age, and we were able to create new tools. And that changed life tremendously. Then with the Industrial Revolution we learned to put pressure into the manufacturing process, and that changed life tremendously.

What is the next constant? It is gravity. And in the space station we will have the opportunity for the first time to deal with manufacturing processes, medical processes, all other kinds of things absent the presence and pressures of gravity.

The implications are enormous. I think for us to turn our backs on this opportunity would be as difficult as if we were to turn our backs on the industrial revolution.

Finally, the one comment that I have heard is, "But we do not need a manned space station. We do not need humans in space."

I conclude with a story told by my predecessor, Jake Garn, who was known as a supporter of the space station. One of the experts, presumably, that the Senator from Maine talked about came to Utah to talk to him and try to convince him that we could do everything in space with robots.

The two of them talked until they came to a standoff. Then in conversation this distinguished gentleman said, "You know, Senator, it is beautiful here in Utah. I love Utah. I love to come here to ski. This is wonderful. I wish I could live here." And Jake said, "Why don't you move here." "Oh," he said, "I can't do that. My lab is in Boston. I have to stay in Boston near my lab." Jake said, "You don't need to be in Boston. Get a lot of robots to run your lab. If we can run and control a lab in space with robots, we can certainly control a lab in Boston with robots."

No, Mr. President, there is no substitute for the human observation factor. If we are going to learn to deal with the absence of gravity and reap the rewards from that opportunity that will come, we are going to have to do it with human beings in an environment free of gravity. It is the next great scientific frontier, and I for one do not want to turn my back on it.

Last night we heard the Senator from Ohio quote one of the most distinguished and famous Members of this body, Daniel Webster, who stood before this body in 1852 and said, "We cannot afford the lands West of the Mississippi. They have no benefit for us or our children. We cannot afford to purchase them. They are filled merely with savages and wild beasts."

Well, I for one, as one of the children and grandchildren of those who went West of the Mississippi, am grateful that the Senate overrode Daniel Webster, and I do not want to be reminded by my grandchildren that I was a Daniel Webster and turned my back on this new frontier.

The PRESIDING OFFICER (Mr. DORGAN). The Senator's 5 minutes have expired.

Who yields time?

Mr. BUMPERS. Mr. President, I yield the Senator from Minnesota 3 minutes.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 3 minutes.

Mr. WELLSTONE. I thank the Senator from Arkansas.

Mr. President, 3 minutes is not a lot of time so let me just make three points. When I hear about a project of dubious value projected to cost $100 billion over the next 20 years, first of all, I think about priorities.

I remember a conversation with a woman who was telling me that her children sleep on the floor because they do not have a bed. I do not see how, when we do not have the money for that woman to make sure that her child can get off the floor and on the bed, we are going to spend this kind of money on a station in space.

So for me it is a matter of priorities right now. When I think about hungry children, and I think about health care, and I think about jobs, and I think about communities and unsafe streets, and I think about national security, I really think real strength begins right here on Earth and not with a space station of dubious value.

My final point, Mr. President, is that I have been very careful in the Defense bill, in the Interior bill, and this bill, to take seriously what we have been saying to people about deficit reduction. The farmers in Minnesota say you cannot eat your seed corn; you have to plant your seed corn. We are eating our seed corn with a deficit and an interest on that deficit that is robbing us of our capacity to invest in ourselves.

To finish, I say to the Senator from Virginia, with a Yiddish proverb, "You cannot dance at two weddings at the same time." You cannot keep telling the people in the country that you want to reduce the deficit and then vote for this kind of program. This is a test case of whether we are serious about deficit reduction, and that is why I proudly support the Bumpers amendment.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Who yields time?

The Senator from Arkansas.

Mr. BUMPERS. Mr. President, how much do I have remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 20 minutes and 30 seconds remaining.

Mr. BUMPERS. I yield the Senator from Virginia 10 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 10 minutes.

Mr. WARNER. Mr. President, I thank all colleagues. This has been a good debate. It is the type of debate that the Senate, I think, can justifiably take pride in because both sides have had adequate opportunity, and it has been a good, thorough debate on all points except one point, and I draw the managers' attention to it.

We are going to vote but we do not know what the total cost is going to be. As the Senator from Ohio said, it runs all the way from roughly $40 billion to $100 billion. We do not know. And I think we are not being responsible to vote not knowing what this is going to eventually cost the American taxpayers at a time when, as the distinguished Senator from Minnesota says, he cannot face his constituents and answer their questions about where the needed dollars are going to come from for the essential elements of maintaining human dignity and human life and a lifestyle that Americans are entitled to.

Today, at lunch the administrator came in. I wish to publicly apologize to him. I think I may have been on the border of being rude, but I was upset because during the course of the luncheon this was passed out. It is entitled, "Why the Space Station Makes Sense," by Daniel Goldin. I had a minute or two to look through it. I was looking for one thing, page after page at Government expense—one thing.

What are the costs? Not one word referring to costs. Go to the last page "at taxpayers' expense," page 12. Talking about the imperatives to have the station. That same imperative that once was defined by Norman Cousins as "the commitment to human growth." Several paragraphs down, William Jennings Bryan once said:

> Destiny is not a matter of chance; it is a matter of choice. It is not a thing to be waited for; it is a thing to be achieved.

I am waiting for the costs.

Last night, in an eloquent speech, someone quoted President Kennedy in the golden years of this great country: "Let us go to the Moon."

And, indeed, we did go to the Moon. But at that same time, I ask you, what was the national debt that the President and the taxpayers were dealing with? Far less than $1 trillion. And what is the national debt that we are confronting America with today and tomorrow, at interest costs of $290-some billion a year, roughly equal to the total cost of our defense budget, slightly below the total cost of Social Security: $4.4 billion.

Do not quote to this Senator President Kennedy's dream at a time when the dream of America is to bring about some fiscal reality to this country. That is what this debate is about, fiscal reality. You would think it was Alice in Wonderland last night: The sky is falling in. We are not going to have money to solve problems for cancer; we are not going to have money to solve problems for this, that, and the other thing.

That is not the America we know. The America we know will turn to the solutions of those problems. It is not dependent on the space station.

Costs: Mr. Goldin apparently did send a letter dated September 20, yesterday, addressing costs, and it is in the hands of the managers. I got it just an hour or so ago. It is a remarkable document, not for what it says, but for what it does not say. He says the costs are $19.4 billion, but fails to refer to the fact that $11 billion has already been expended. There is no specific reference to the $14 billion additional for operating costs; no mention of whether the shuttle costs are included or not included; no mention whether the civil servant payroll of all the people working on this program is included or not included.

It is unclear what is in, and it is unclear what is left out, and we are flying blind as we come to the floor to cast our votes in a matter of a few minutes.

Yesterday, it was the Russian card thrown on the desk at the last minute. Today, it is a cost estimate that is incomplete.

I would like to conclude by bringing to the attention of our colleagues a report that was issued today by the Concord Coalition, headed up by a very distinguished colleague, a warm friend on both sides of the aisle, Senator Tsongas, who came to the Senate with me, a Member of my class, and Senator Rudman.

It is worth reading, colleagues. This whole report, some 75 pages, rests on two pillars. Pillar number one, this body, has addressed already; marched up the hill and down the hill. But the Concord report says you have to face it. I read: "A comprehensive entitlement means test," that is what it rests on. That is one pillar. Then the next pillar:

Fifty domestic spending programs would be eliminated or reduced to produce $29 billion in annual savings by 2000.

What is the first program the Concord report lists? The first—not the second, not the third—out of the 50; the first? I repeat:

Fifty domestic spending programs would be eliminated or reduced to produce $29 billion in annual savings by 2000. These include programs we can no longer afford; number one, the space station.

An unbiased, objective, carefully thought through, analytical report by two of the most distinguished men who have been privileged to serve in this Chamber in the last several decades.

I conclude by saying that I thought long and hard through the night of my future in the Senate, whatever period that may be, and what is my responsibility and why am I up here fighting as vigorously as I know how for fiscal responsibility when my State is one of the five principal beneficiaries of the very dollars we are talking about—thousands of jobs in my State.

But I do it with the clearest of conscience, I say to the Senator from

Texas and the Senator from Utah, with the clearest of conscience, because I believe we are going to be faced with a means test and a lot of other tougher votes unless we face up to the fact that we, as individual Senators, have to make decisions which adversely affect in some way the citizens in our own State. If we do not do it, there is no hope.

I count myself among those on this side of the aisle who have year after year stood up and followed, again with a clear conscience, those leaders on this side of the aisle to cut the budget, to have a line-item veto and to balance the budget.

If I only had a penny for every speech I have gone back home and given on the balanced budget, I practically could retire, because I sincerely believe in it. But to balance that budget, you have to have cuts.

So I say to my good friend from Utah, and there are others on this side of the debate that are standing here with a clear conscience, that I want to be counted among those who have stood for fiscal responsibility for 14 years—and who will stand today to make a decision which is painful and tough politically—because I do not want to be listed ever in my career in the U.S. Senate as being apocryphal.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. I yield to the junior Senator from Texas 5 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Thank you Mr. President. I thank the Senator from Maryland, who has done a wonderful job of managing this bill, and the senior Senator from Texas, who is helping her.

I think it is important to put into perspective the key argument that we have been hearing in the debate that has lasted for some 10 hours now; that is, all of us want to bring the deficit down, but how are we going to do it? There really is a difference in the way I would make those cuts.

For instance, I have introduced amendments and plan to do so again to cut the general overhead of Government across the board 5 percent, to give us $3 to $10 billion a year in savings.

I think that is the responsible way to go about cutting the deficit. Thereafter, each program should be looked at to determine how much further the program can be cut. Some can take 100 percent and be wiped out; others can take zero percent.

I think we have to look at the priorities. The distinguished Senator from Virginia says he does not know how much this space station is going to cost.

He knows that we are voting on $1.9 billion, and he knows that there are people in this room that voted for $16 billion to be spent on one-time-only expenditures, building swimming pools, that sort of thing. This is where we can focus our differences. Do we want the kind of spending that is one time only, that will give jobs maybe for 10 months or 18 months, or do we want to spend our money where it is going to reap benefits twentyfold and fortyfold and hundredfold, as space research has already shown that it will do?

There are people today who are walking and who are healthy because we have had space research and because our forefathers and mothers had the ingenuity and foresight to make those investments.

The issue is whether we are going to invest in our seed corn to have the benefits of new jobs created by new industries, created by research that we have invested in; or are we going to spend one-time-only dollars? I think that every American would want us to spend the money where it is going to grow. The mother whose child is sleeping on the floor wants more than anything for her child to have a future, and that is what investment in basic research is going to do.

In addition, the space station really will help disease. I know Senator BUMPERS yesterday said that we are now taking credit for the superconducting super collider and the space station to try to cure breast cancer. I, for one, would pay for both of those to find a cure for breast cancer and osteoporosis, but the fact is, it is the space station that is going to contribute to solving breast cancer and osteoporosis. It will do so because there are conditions in the space station that will allow us for the first time to find out what that third dimension of growth is that will allow us to find the cure for those women's diseases that we have been unable to cure all these years. That is one of the reasons that I am supporting the space station.

Mostly, I am supporting the space station because it is the kind of investment that we need to make. I am a budget cutter. The Senator from Utah is a budget cutter. The Senator from Texas is a budget cutter, and so is the Senator from Virginia. But we have very different priorities. And, I am proud to say that I want to put the money where it is going to create a future for children, and that is what every mother and father in this country who is struggling wants.

The last point I want to make, Mr. President, is that there is an issue we have not talked about very much, and that is, what kind of partner is America going to be? We have talked about Russia and what is going to happen in Russia. Regardless of what happens in Russia—and I have great faith that democracy is going to prevail in Russia. I know all of us wish the Russians well in this time of turmoil in their country. But, what we are talking about is what kind of consortiums are we going to be able to have in the future that will cut our costs in America but allow us to have the research that will create the new technologies of the future? If we will be a good partner, and if we will stand up for stability in America, and continue the projects that we start, we will be the kind of good partner that other countries will want to invest with, like our good partners, Japan, Europe and Canada who have all invested in the space station with us.

Thank you, Mr. President.

Mr. SASSER addressed the Chair.

The PRESIDING OFFICER (Mr. WELLSTONE). The Senator from Tennessee.

Mr. SASSER. Mr. President, what we are seeing here is the unfolding of the typical Washington spending drama. What we have here is a space station conceived to cost a certain amount of money, and the Congress is sold on it at a low-ball figure. In this instance, I believe it was $8 billion, if memory serves me correctly. This project has been through redesign after redesign after redesign, all to try to minimize the enormous cost overruns that this project was thought to generate. We are now at the point where the lifetime cost of the space station is $120 billion.

But like all of these Washington spending dramas, once they get started, they never stop; you cannot kill them. It is just like the hydra: You cut off one head here, but it keeps coming. That is the way this space station is.

If people want to cut spending, they can vote to terminate this space station. If they want to make speeches about cutting spending or balancing the budget, then they ought to go back home and just speak to the rotary club. It is interesting to hear today on the floor that the space station is an investment. The term "investment" is coming from some of the same Senators who were saying just a few weeks ago about the President's program that "investment is just another name for spending." That is what they were saying a few weeks ago.

As the President's deficit reduction plan was on the floor of this body, two of our colleagues were out in front of this Capitol holding a press conference with Ross Perot, and they were saying that this deficit reduction plan is faulty, because it does not have enough spending cuts. Well, we said at that time that we were going to give them the opportunity to vote for more spending cuts. We were going to give them more than $255 billion worth of spending cuts.

So I joined with Senator BUMPERS. The first of these was an effort to cut $400 million out of the star wars initiative. We should have cut $1.4 billion out, but we were not sure we could get the votes to cut $400 million. By two

votes, 50–48, we were successful in cutting spending by $400 million in star wars. Interestingly enough, those who said we needed more deficit reduction, more spending cuts, when the deficit reduction bill was on the floor a few weeks ago, voted against cutting $400 million off of star wars.

So here we are back with the space station. They started out saying: Well, we would vote to terminate the space station, but it will not really reduce the deficit, because the money will simply go into other projects. You chaps on the Appropriations Committee will put it someplace else.

So we said: OK, what we will do is we will reduce the caps to make it determinative. We will lock it in when we terminate the space station, and the funding that will be saved will have to go to deficit reduction.

Well, now they are coming back and they are saying: Well, yes, we want to cut spending, but we disagree with where you are cutting the spending.

Mr. President, all of us here have, about cutting spending, but some of us have voted for it. All of us have talked about cutting spending in the abstract, but some of us have proposed specific spending cuts, and we have voted for them.

My colleagues have an opportunity here in just a few minutes to save $120 billion over the lifetime of this project. Let us see if you are going to do it. Let us put our vote where our mouth is, and if we are not prepared to vote for these spending cuts, then please let me say to my colleagues, please, please stop making these speeches about spending cuts and wanting to cut. Have you no shame? I say that to some of you. Either vote for the projects and be quiet about it, or do not make these long lengthy speeches saying "I am for cutting spending" and then not voting to do it.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, I yield myself 7½ minutes from our remaining time.

Mr. President, how wonderful the human mind is. How great selective memory is.

I remember standing on this floor and offering an amendment to cut from the President's so-called stimulus spending package money for such items as the ice skating rink warming huts in Connecticut, Alpine slides in Puerto Rico, and that amendment was rejected. And many of those who would have us now eliminate spending on the space station thought those huts and slides were worthy projects.

When we considered making taxpayers pay for our election campaigns, I with others offered an amendment to eliminate such spending, and many people here today who say it is time to cut spending said at that time, no, let the taxpayers fund elections.

I could go on and on and on, but how selective this spending restraint is that the only areas in a $1.5 trillion budget that some would cut are expenditures on defense and expenditures on science and technology.

First of all, I am proud of the fact that in working with the President and working with the distinguished chairman of this Appropriations Subcommittee we have cut $4 billion from the space station. I am proud of the fact that under the leadership of this administration we have been able to induce the Russians to end their solo MIR–2 program and join us in a united world effort. That is a positive development, and I want it to go forward. I am proud of the fact that we have been a good enough partner that the Japanese, the Canadians, and the Europeans have put $2 billion into this project and they stand ready to put in $4 billion more if we live up to our end of that contract.

So what is the issue here? The issue is this: 25 years ago America spent 5 percent of the Federal budget on civilian science and technology R&D. We invested 5 percent of the budget in the future by funding the technology needed to create jobs, to raise living standards, and to help America dominate the world as we have.

Now 25 years later, as spending has exploded, as we have reached a situation where this Congress seldom says no on any spending proposal, we have now reached a point where we have written a budget that spends only 1.9 percent on science and research and technology, and yet there are some here who say even that is too much.

So, there are those who would spend money on ice skating rink warming huts; who would spend money on Alpine slides in Puerto Rico; who would spend money to fund politicians running for public office. But they say we do not have enough money to invest in science, technology, and space and spend on our future.

This great country of ours has been the dominant force on the planet for 50 years for two, and only two, reasons of any real significance.

First of all, we have had an incredible system which has let ordinary people like us with extraordinary freedom do extraordinary things. And yet, everyday on the floor of the Senate, we vote to limit that freedom and to expand the power of Government and to threaten this goose that has consistently laid the golden egg for America.

The second factor that has made our system and our people the envy of the world is that we have dominated science and technology. We have plowed back money into pure research that has generated science. High energy physics, which started under a football stadium at the University of Chicago, now provides 20 percent of the GNP of the United States. The space program has revolutionized industry, has revolutionized medicine.

So the question is having cut the science budget, relatively speaking, by over 50 percent in 25 years in a $1.5 trillion budget, can we afford to invest in the science and technology that will mean better jobs for America, higher living standards in the 21st century? And I say yes.

We have partners who have put up money. They are now waiting to see if we live up to our commitment. We have now been joined by an adversary that we kept back from the gate for 45 years to let the superiority of our system emerge. I say that partnership is revolutionary in terms of world history. I say we should bring them in to help us build a better space station so that we can do more because they do more.

But the question is: Do we turn back now or do we go forward?

So I am sorry. When I hear my colleagues stand up and chastise the Senator from New Mexico for being for the space station, when they themselves have voted against cuts in what I perceive to be the most meaningless programs that have come before the Congress, I am not impressed.

The bottom line is that the time to have cut spending was in the budget, and we had some 70 amendments to do that, and virtually every one of those amendments was rejected.

So, we have decided on our total spending level. The question is a very simple question: Are we going to invest that money in the next generation, in science and technology, and in the future of our children, or are we going to invest it in the next election with another social program that promises a great deal and often delivers very, very little?

We must realize that for those in America who are in need, ultimately it is not the Government that is going to solve their problem. It is going to be technology, science, and opportunity that will produce the resources to assist them or let them get on the playing field with better tools and help them, in the process, earn their self-respect, earn a good living, and earn what we want for all of our citizens. Science and technology are indispensable to that vision for America's future.

So I urge my colleagues—do not kill America's premier science program. We have reduced it. We have cut it. We have brought in partners. We are expanding the number of nations participating. We are sharing the costs. We have stripped it down. We have tried to save money. But ultimately the question is: Do we go forward or do we stop?

I believe, and I am confident, that America will be a richer, freer, happier

country 25 years from now if we defeat this amendment than it will be if we say approve it.

If we adopt this amendment, if we kill the space program, does anyone believe, that in the ultimate legislative process, that less money will be spent? My guess is no. But less will be invested and America will be poorer, and that is why we need to move ahead with this program.

I urge my colleagues to stay with the committee and support our $4 billion of cuts. We cannot afford a Cadillac. We rejected it in committee on a bipartisan basis. We are working with the President and the Vice President on a bipartisan basis. But we can afford a Chevrolet in science and technology when we, as a nation, have benefited more from science and technology than any other nation in the history of the world.

I reserve for the chairman the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BUMPERS. Mr. President, I yield to the Senator from Arizona 1 minute.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. DECONCINI. Mr. President, this program has been program plagued since it was unveiled by President Reagan. In 1984, NASA estimated the cost would be about $8 billion and would be completed by 1992.

Today, it is overdue and the costs are out of control. Today's NASA estimate, if you can rely on these figures, exceeds $30 billion. In truth, NASA has no true estimate of costs at all. In light of the recently announced United States-Russia collaboration, no one knows what this program is supposed to accomplish. Talk about putting the cart before the horse. This program sets a new standard for premature action.

GAO projects the costs could exceed $40 billion to build and the lifetime costs, a staggering $118 billion. This cost is unthinkable given the myriad of unmet needs domestically—homeless people sleep on the Capitol Grounds, veterans are turned away from VA medical centers and cemeteries, and the deficit mushrooms.

President Reagan put the space station on the national credit card. President Bush put the space station on the national credit card. And, I say to my friends, the time has come to pay the bills. We are $11 billion in the hole on this program and the financial bleeding has not stopped. This year's request is for $2.1 billion and $2.1 billion for each of the next 4 years.

There is something very wrong with our priorities. The budget cutting is not over, and funding this space station will force us to cut another $13 billion over the next 4 years.

I am the senior Democrat on the Veterans Committee and my colleagues and I on the committee have been forced to deal with the consequences of the decision to pursue this white elephant in space. I even offered an amendment in 1987 to delay the space station in order to protect veterans health care. I barely escaped the Chamber with my life and managed to get a mere 12 votes.

I said at that time we could not afford this ill-defined program. I said that veterans health care and other programs would suffer if we did not get control of this program. Well, everyone hates to hear it, but I cannot resist saying I told you so when the truth hurts so much.

Sadly, it is the veteran and his survivors who have been paying the biggest price to date. Today, every widow who cared for a service-connected severely disabled veteran cannot get remarried for the rest of her life without losing her CHAMPUS–VA health insurance and survivor's benefits. That is unfair—if you are the survivor, to keep yourself from losing conceivably the only lifeline left between poverty and desperation, you must remain alone in the time following the most tragic loss one can experience: That of a loved one.

This is only one example: There are many more. But the question should not be how many more, but what exactly will happen in the future to benefits like these? Will they disappear all together because of the $13 billion more we will have to spend on a space station that most likely will not be completed before they die?

In sum, Mr. President, it is time we get our financial house in order on Earth together before we embark upon this great adventure to new worlds. I believe in dreams, but I am not a daydreamer. This program does not make sense and we cannot afford it.

Mr. President, this program has been a big mistake. This program is going to exceed $40 billion now and maybe $118 billion. We do not even know. And now we are asked to put in $2.1 billion this year. It is time to pay the bill and cut our loses at the $11 billion that we have already sunk into this program.

I thank the Senator from Arkansas.

Mr. BUMPERS. Mr. President, how much time do both sides have remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 2 minutes and 35 seconds.

Mr. BUMPERS. Mr. President, I have to object. That cannot possibly be. I had 20 minutes a while ago, I let Senator WARNER have 10, Senator SASSER 5, and just now 1.

The PRESIDING OFFICER. If the Senator——

Ms. MIKULSKI. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator from Maryland has 7 minutes and 31 seconds.

If the Senator will yield for a moment, the Chair will say to the Senator from Arkansas that I did read the clock correctly and the Chair is prepared to account for that time.

Mr. BUMPERS. Please do so.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. Mr. President, I want to reserve for myself 5 minutes for closing but I am happy to give the Senator from Arkansas 2 minutes.

Mr. BUMPERS. I thank the Senator very much. That will give me 4½ minutes.

Ms. MIKULSKI. I have been a wise steward of my time.

Mr. BUMPERS. I thank the Chair.

Mr. President, the Senator from Texas is talking about a good, solid Chevrolet. We do not know whether we are going to get a Cadillac or a Yugo. We are going to be voting $2.1 billion for a project. We have not the faintest idea what the design is going to be. We have not the faintest idea what the cost is going to be. We have not the faintest idea what kind of research is going to be done. The Russians have had a MIR up for almost 8 years. They would be delighted to sell us the results of all their experiments for a few million dollars.

We were going to cure cancer with the shuttle. Do we remember those arguments, when we were building the shuttle? We were going to do microgravity research on the shuttle. We were going to grow protein crystals. We were going to cure cancer.

And here we are now, 9 years after we first heard Ronald Reagan say the space station will cost $8 billion. And the same people who stand on the floor today and tell us the country is going down the tube if we do not spend this money have not even had the courtesy to say I am sorry for all those misstatements I made the last 9 years. I am sorry for the $11 billion we talked you into spending which now lies on the scrap heap.

Not so much as an "I am sorry."

The Senator from New Mexico said if this Nation is anything it is a nation of technology. If this Nation is anything, it is a nation that is broke, and heading for bankruptcy.

The Senator from Texas during the reconciliation debate said I do not like those cuts you are proposing 3 and 4 years down the road. They never take place.

Senator, we can cut that to 45 days. And 45 days ago everybody in the U.S. Senate said we have to cut more, cut spending first.

I have been in the Senate almost 19 years and I have seen one program torpedoed and I did it, the Clinch River Breeder in 1983. The only program the U.S. Senate has killed since I have been here in 19 years. The political clout is always with spending, not spending cuts. Is it any wonder the people of this country are clamoring for term limits?

I disagree with it, but God knows I understand their frustration. To hear all of that rhetoric for about 3 weeks about spending cuts, we get a chance to cut star wars, the space station, the superconducting super collider, ASRM, the Trident 2 missile. We get a chance to cut all those things and we cannot get enough votes to fill a thimble around here.

I am not going to argue the merits of this thing because it has no merit. Dr. Park, the President of the American Physical Society, 40,000 physicists, says there is absolutely no evidence that we will develop new medicines. Yet the proponents say we are going to cure cancer, emphysema—name it, this thing is going to cure it.

Almost $300 billion a year in interest, and headed north. I have never heard so many convoluted arguments in my life for voting for $100 billion more in spending.

There is $11 billion down the tube. Dr. Bluembergen up in Harvard said, "Microgravity research is of microimportance." Dr. Parks says, "There is too much disturbance by people on the space station to do microgravity research. You can do microgravity research right here on Earth and save yourselves $100 billion."

Mr. President, the American people, they do not really understand what is going on here. They do not understand how important spending is politically. But they know there is something wrong. That is the reason only 18 percent of them have any respect for the U.S. Congress.

The House, in an amendment I will offer on the advanced solid rocket motor, the House killed it by 378 to 43—killed it. And I am going to offer an amendment here in a minute to kill it, and I will not get enough votes to count.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BUMPERS. We are just biding our time here, waiting for the apocalypse when we do what we are about to do here. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. How much time do I have left?

The PRESIDING OFFICER. The Senator has 5 minutes and 6 seconds.

Mr. BYRD. Mr. President, I am opposed to this amendment because it would lower the discretionary appropriation caps in both budget authority and outlays for each of fiscal years 1994–98.

The Senator's amendment would terminate funding for the space station and would reduce discretionary spending limits for each of fiscal years 1994–98 by the amounts that would have been needed in each of those years to fully fund the space station program.

Mr. President, I cannot support this kind of piecemeal attack on the statutory discretionary caps. Congress just completed action on a reconciliation bill which the President signed into law on August 10. That measure set discretionary spending limits for fiscal years 1996–98. Similar caps for fiscal years 1994 and 1995 were enacted as part of the Budget Enforcement Act of 1990.

These discretionary budget authority and outlay caps for fiscal years 1994–98 provide very tight constraints on discretionary spending. Let me put this restraint in perspective.

The conference report on the budget resolution for fiscal year 1994 set the discretionary spending allocation to the Appropriations Committees at $500,964,000,000 in budget authority and $538,757,000,000 in outlays for fiscal year 1994. In its March baseline, the Congressional Budget Office [CBO] projected enacted discretionary appropriations to be $517,005,000,000 in budget authority with estimated outlays of $547,489,000,000 for fiscal year 1993. The budget resolution level for 1994, therefore, is $16,041,000,000 in budget authority and $8,732,000,000 in outlays below the 1993 level.

The effect of this amendment is not only to reduce funding for the space station, but also to reduce the statutory caps by that amount. For fiscal year 1994, this amendment would reduce both the cap and the budget allocation by $1,446,000,000 in budget authority and $1,015,000,000 in outlays. Over the 5-year period of fiscal years 1994–98, the caps would be reduced by a total of $9,846,000,000 in budget authority and $9,006,000,000 in outlays.

As I have stated many times before, the deficit problems facing this country have not been caused by excessive domestic discretionary spending. The problem has been primarily the unrestrained growth in the entitlement programs plus the failure to enact the revenues to pay for those programs. If it requires the continuation of caps on discretionary spending as the price for getting control of the growth in entitlement spending and tax expenditures, then I have been willing to take that tough medicine.

But, I cannot and will not support amendments, such as this one, which are attempts to make even further reductions in these constrained discretionary spending limits on an ad hoc basis.

The practical consequences of adopting such amendments will be to open up the budget and appropriations processes to an avalanche of attacks on discretionary spending, the result of which will be even greater difficulty in adequately funding the President's and congressional priorities for infrastructure, education, environmental cleanup, law enforcement, and on and on.

Mr. MURKOWSKI. Mr. President, I will be very brief.

Americans have always explored distant frontiers. We have always pressed into the unknown, sometimes in the face of great adversity and great cost.

I come from Alaska—a State sometimes called the Last Frontier. My State was once considered a distant, forbidding, and hostile frontier. The costs of its exploration were once considered high. But the payoff was worth it in the end.

With that perspective in mind, I have supported the space station in the past. I have viewed it as a means to expand our frontiers, to undertake cutting edge science, to maintain a competitive edge in our aerospace industry, and more recently, to promote international scientific cooperation.

But I have been troubled by the delays, the redesigns, and the inability to see tangible progress. Today, we really don't know for sure precisely what we will be funding if we move ahead with the program.

I am also concerned about our failure to fund smaller science programs, and the degree to which scientific megaprojects such as the space station might be diverting funds from badly needed research projects here at home. I have a few projects in this bill that were not funded, despite unanimous agreement within the scientific community and the administration that they deserved to be funded, so this obviously concerns me.

Nevertheless, Mr. President, I will today vote in support of the space station. But this may be the last year I do so, unless we nail down the design and better understand the costs.

The space station can be a great achievement—a tribute to our ingenuity, our drive, and our ability to strive toward new frontiers. But it can also become a money pit mired in a bureaucratic morass. For me to continue my support in the future, I need to be convinced that this program is the former rather than the latter.

Thank you, Mr. President. I yield the floor.

Mr. DODD. Mr. President, I rise in opposition to the amendment offered by the distinguished Senator from Arkansas. And while I recognize that much of the discussion presented thus far has focused on the national aspects of this program, I feel compelled to raise two important international points in support of space station *Freedom*.

As a member of the Foreign Relations Committee, I have strong reservations about any unilateral action to terminate the space station program. America's investment in space station *Freedom* is an not just an investment in the American space program—it is an investment in the international space community. More importantly, it is a commitment to a new level of international scientific coordination which we must honor and we must finish to completion.

Since 1984, the United States has been working in concert with the members of the Canadian, European, and

Japanese space agencies to develop a baseline for joint space operations. For the first time in our history, the United States sat down with engineers and scientists from the international community to design and integrate the world's first multinational space station.

Consider for a moment, the synergistic benefits of such an effort. Each international partner bringing crucial and innovative technologies to the orbiting laboratory, each with perhaps new approaches to the problems that we seek to solve in the weightless environment of space. And now, as our joint planning efforts are nearing completion, a new and even more exciting chapter is unfolding as we prepare to enter this new frontier. A new partner has asked to join the team.

On September 2, 1993, the President announced an unprecedented effort between the United States and the Russian Space Agency. The focus was an exploratory statement which would bring components of the existing Russian space station MIR in line with the anticipated components of space station *Freedom*. Think of it—a new jointly constructed station with components that could possibly double the amount of usable laboratory space orbiting the Earth.

This new level of cooperation could bring the cumulative knowledge and experience of the world's two greatest space programs together in space for the purpose of peaceful scientific research. Imagine the emotions of the first Russian space team members as they place themselves inside an American space suit built by the constituents of my home State of Connecticut and prepare for flight. What an enormous turn of events.

Mr. President, as I listened to the debate today, I found myself agreeing with the comments and sentiments expressed by my good friend and colleague from Iowa, Senator HARKIN. The recent developments with our Russian partners clearly indicates a new level of international commitment for the space station program. What better testament to the goal and expectations of the space station effort then to welcome this important new partner to the team.

In conclusion, I have to wonder at the irony in the very name of this important program, Mr. President. "Freedom." What a perfect name for the first outpost to this exciting new frontier. What a perfect moniker for a such a monumental peace endeavor to study our living planet.

The events of the past 7 years have truly changed the face of the globe. What were once foes, are now international partners for the peaceful study of space. Our commitment is crucial, Mr. President, and it must not change. Our international partners deserve nothing less. I therefore, respectfully urge my colleagues to reject the amendment offered by the gentleman from Arkansas.

Mr. DANFORTH. Mr. President, I rise in support of the space station program.

I have long been a supporter of the space station program. The reasons are simple. I believe that undertaking difficult challenges like space station is why we have a space program. I also believe that space station is critical to our leadership in human exploration of space. Space station is the next logical step in our quest to learn more about the universe in which we live. Space station will provide invaluable information to scientists and engineers on humans' ability to live and work in space. That information and experience will be critical for any future missions to the Moon or Mars.

Space station will also permit research that might well lead to new drugs, cures for diseases, and advanced materials. I am also particularly proud that McDonnell Douglas from my home State of Missouri is building the framework for this international space laboratory.

Like past space missions, space station is expected to generate important spinoffs in electronics, engineering, biomedicine, aeronautics, and other areas. Many technologies that we take for granted—such as microcomputers, pacemakers, artificial limbs, advanced water filtration, and communications satellites—are byproducts of past space missions. I believe that the space station will produce similar breakthroughs that will improve our quality of life as well as provide a needed boost to U.S. competitiveness.

I believe it is particularly unwise to give up on space station at this time. First of all, cancellation would be a tremendous waste. It would waste the enormous amount of money, time, and effort that has been spent on the program. So far, the United States has spent $9 billion on this project. Our international partners have contributed $2.5 billion. Furthermore, NASA has already constructed a mission control center at the Johnson Space Center and processing facility at the Kennedy Space Center to support space station. This is not the time to turn back.

NASA just completed a redesign of space station in response to very legitimate concerns about the cost and management. Earlier this year, based on the recommendations of a blue-ribbon panel, NASA redesigned the program to reduce costs and streamline management, without sacrificing scientific content. NASA seems to have accomplished that. The new design, now called space station *Alpha*, is expected to reduce station costs by $4 billion over the next 5 years and $18 billion over the two-decade life of the program. Mr. President, let us allow NASA the opportunity to carry out its redesigned program.

We also must not forget space station is an international project. Space station is the largest international science program ever undertaken. Japan and the European Space Agency are each developing a lab module for the space station. In addition, the Canadians are developing a robotic arm. Together, these three main space station partners have spent billions on the project. Increasingly, big science projects are becoming far too expensive and complex for any one country to undertake alone. We must honor our commitments to our foreign partners if we expect their cooperation on future joint space and science missions.

Cancellation of space station would also prevent us from seizing the opportunity to bring the Russians into the family of international partners. Earlier this month, the United States and Russia signed a space pact which seeks to merge our space station activities. The agreement gives us the opportunity to take advantage of the Russians' vast experience with space stations. Since 1971, they have successfully placed seven space stations into orbit. Their current space station, MIR, has been operating since 1986.

NASA is studying ways to include various elements of the Russians' space station program into the current design. To that end, NASA is looking to use the crew rescue vehicle, the navigation and propulsion system, and the docking system currently being used on the Russian space station. These contributions would eliminate the need for costly development and testing by the United States in these areas. Russian participation will also provide Russia with hard currency to help stabilize the troubled Soviet economy. In addition, this will ensure that the talent and energy of their scientists and engineers are properly focused on peaceful endeavors.

I also believe that our commitment to space station is critical to maintaining our Nation's leadership in aerospace. Aerospace is one of the few industries in which the United States has maintained a trade surplus—$31 billion in 1992. The industry employs more than 2 million nationally. Canceling the space station now would mean the layoff of the 50,000 aerospace workers in 39 States who are working on the space station. This is not to mention the indirect economic harm to communities and small businesses that depend on the business of space station personnel.

We cannot afford to lose these people. They are the foundation of our technology base and are critical to our national security and global competitiveness. Maintaining their skills is especially important, now that the defense industry is undergoing dramatic cutbacks. Last year alone, 200,000 defense-

related jobs were lost, and, by 1995, defense industry employment will decrease by 1 million. If space station is canceled, these workers may have nowhere to go since the defense sector is in the midst of a massive builddown.

Perhaps the most significant benefit of the space station is its potential to stimulate an interest in math and science among our young people. Many analysts have predicted that the United States will face a severe scientific manpower shortage in the next decade. Simply put, the United States will not have enough scientists, engineers, and technical people to staff our space program, our military program, or our high-technology industries. To address this problem, we must encourage more young people to pursue technical careers. Many of today's scientists and engineers were inspired by the exploits of manned missions like Senator GLENN'S first orbital flight and Neil Armstrong's walk on the Moon. Space station holds the promise of similar inspiration for our youth.

Mr. President, for these reasons, I strongly urge my colleagues to vote for our Nation's future and support our space station program.

Mr. KERREY. Mr. President, I rise today to speak on the subject of the space station. I have put a great deal of thought into this issue, and it is with some reluctance, but a growing sense of conviction, that I announce my decision to oppose funding for the redesigned space station.

Mr. President, I count myself among the Senate's strong supporters of scientific research initiatives, and I have long felt that NASA deserves credit for developing some of our Nation's most promising new technologies. But everything must be put on the table if we are going to have meaningful deficit reduction, and I am taking a hard look at some of the projects I have supported in the past.

There are many strong arguments for building a space station. I have voted for full funding previously because I believe there is much to be gained scientifically and medically from this type of research, and that the space program has the unquantifiable benefit of encouraging school children to take an interest in science. In recent years I have had lingering concerns about the station's cost in light of reduced scientific capability. But, Mr. President, this vote is not about big science versus little science, or the relative merits of manned versus unmanned space exploration. It is about the need to cut Government spending.

I will oppose funding for the space station because I feel that as a country we simply cannot afford it, and I believe strongly that it is time to exercise greater fiscal responsibility. More to the point, it's time for me to say no to something I would otherwise support because I cannot justify the expenditure. As I have said in the past, it is easy to say no to your enemies. The hard part is saying no to your friends. The cost of the redesigned space station *Alpha* is $2.1 billion for fiscal year 1994, and $10.5 billion over the next 5 years. NASA estimates that this will save $4 billion over what *Freedom* would have cost during this period, but I still cannot reconcile this with the need to make substantial progress in reducing the deficit.

Mr. President, we also have a responsibility to look ahead and consider the future budgetary implications of this project. NASA has projected the total cost of the *Alpha* station at over $16.5 billion by 2001, and I believe this represents a good faith effort to come up with realistic cost assessment. I commend them for the management streamlining and bureaucratic consolidation that went into the redesign proposal, and for resisting the temptation to propose an unrealistic estimate to comply with the President's original budgetary guideline.

But it is very difficult to accurately project the ultimate cost of designing, building, and operating a space station, and I am afraid that it will end up costing substantially more. Remember, we spent nearly $9 billion on the space station in the past decade, with few tangible results. Congress bears some responsibility for funding the station unevenly, and for continuously calling for modifications, but it is also the nature of these projects that adjustments and cost overruns are inevitable.

Mr. President, I wish to make clear that the recent disappearance of the Mars Observer had no bearing on my decision to oppose the space station. It is a monumental undertaking to send this type of craft into space, and occasionally setbacks will occur. I remain committed to many of NASA's objectives, and I am particularly optimistic about the potential educational benefits of NASA's research on telecommunications and interactive technologies. Even without the space station, Mr. President, there is some $12.5 billion in the VA, HUD appropriations bill for NASA.

I realize that terminating the space station will affect thousands employed in the aerospace industry. This was one of the most difficult aspects of my decision. Clearly, it will be necessary to allocate considerable resources to the type of retraining and conversion initiatives required to downsize the military. I also understand that withdrawing U.S. participation in building the space station will have ramifications for our international partners, and that this may be a bitter pill for them to swallow. The intergovernmental agreement we entered into contains a withdrawal clause, however, and we will have to explain that due to budgetary constraints we cannot continue our present level of involvement.

Again, Mr. President, I know this will not be easy, but I think the time has come to begin making tough choices. It may be a small step on the long road of deficit reduction, but we are going to have to start somewhere. I thank the Chair, and I yield the floor.

Mr. WOFFORD. Mr. President, since I arrived in the Senate, I have twice voted to support the space station. I have long believed that efforts like the space station deserve support. Such efforts challenge the boundaries of science and the imagination. And I have long believed that a nation like ours, that has the wherewithall to explore space, can overcome the challenges of improving our lives here at home.

But times have changed. The Federal deficit has limited our ability to do all the things that are valuable to do. I do not like this fact—but it is the truth. Now, the American people expect us to make the hard choices necessary to reduce the deficit. I am prepared to make those choices.

Today I will vote for eliminating further spending for the space station. This decision does not come easily. I recognize the sacrifices that will result. But the fact is that if we are serious about cutting Federal spending and reducing the deficit, we simply cannot now afford this effort.

Mr. President, I am not singling out the space station for elimination. Earlier this year, I announced a package of spending cuts totaling $65 billion above those proposed by the President. My vote today is another step toward making those cuts a reality.

Mr. SPECTER. Mr. President, on similar issues in 1991 and 1992, I voted against funding for the space station in order to allocate those Federal dollars to other purposes which I considered more important. Similarly on today's vote, I consider deficit reduction more important than the expenditure of $2.1 billion for the space station.

As noted in my floor statement on September 9, 1992, I believe our space program has made significant contributions to our Nation and the world, and I believe the future of new technologies may well be enhanced by advances in space.

We can continue to make significant advances in the exploration of space without the very heavy investment in the space station. I am advised that using NASA cost figures from June 1993, the new design will cost about $72 billion to build and operate over 10 years. The total costs, including interest, will raise the cost to as much as $110 billion by the year 2013.

During my 12½ years in this body, Senators have spoken more about the need for deficit reduction both on and off the Senate floor than on any other subject. The hard part arises when it comes to voting on specific programs where it is customarily easier to defer

deficit reduction to a later date than to vote down an attractive program.

In my judgment, we are past the point of deferring deficit reduction. Therefore, difficult as this vote is, I believe that we should not expend substantial sums at this time on the space station.

Ms. MIKULSKI. I yield myself the entire remaining time, in the closing minutes of this debate.

Mr. President, we have had extensive debate on the space station and as I conclude this, we have talked about cost. We have talked about jobs. We have talked about cuts. And the scientific advances.

Mr. President, what I want to talk about is the future. Every scientific idea, every technological advancement ever proposed was minimized and trivialized in its time. I believe that historical fact is unfolding now in this debate on the space station. Nearly 100 years ago a Frenchman by the name of Louis Pasteur talked about a field called bacteria. He used the word "germ" which is now part of our vocabulary and our thinking about life-preserving devices. He was ridiculed and he was trivialized for wanting to save the sheep of France using a new technological advancement called a microscope.

And when the scientists of the time looked down they said, "This cannot be true. If you cannot see it, do not believe it. We do not believe what we are seeing."

Now the rest is history. Yes, he was ridiculed but he discovered a vaccine that not only saved the sheep population of France, it saved the economy of his beloved homeland. He did it through that microscope which has now saved countless lives, and he created an opportunity to save the economy of his country.

Then, in our own country there were a bunch of guys down in North Carolina who said, "We think we can fly."

They said, "What do you want to do that for? If God wanted us to fly, he would have given us wings. Do you remember those guys in Greek mythology; they strapped on the wings, flew off into space, and their wings melted. Hey, what do you want to do that for?"

But the Wright Brothers persisted and persisted and, yes, that short distance they flew in Kitty Hawk led to a flight into the future, created an aerospace industry that has made our country strong economically, and gave us the technology to win World War II, fighting Desert Storm, and has kept our country strong.

Suppose they had listened to the naysayers.

Then when it came to opening up the West, there were others who came along with the technology called the steam engine. They said, "Hey, steam engine? My gosh, what are you going to do, chugga-chugga-chugga-chugga? Where is that going to take us? It does not mean anything. All it is, is a lot of smoke and probably some mirrors. What we need is a good Conestoga wagon. If it was good enough for my mother and father to go west on, a Conestoga wagon, by God, it is good enough for me. Maybe we need a new fat horse to get us there faster. Maybe we need a 6-wheel wagon and that will get us there better."

But, no, again, the American entrepreneurial spirit said we are going to move ahead. The Garrett family in Baltimore helped bankroll the B&O Railroad. It opened up the west and helped the economy of Baltimore, it helped the economy of the Midwest, and it opened up a frontier of the Great West the way Frederick Jackson Turner had talked about.

Suppose we were still building Conestoga wagons. Suppose we had totally dismissed the telescope, or the microscope, or any of those new technologies?

Here we are now in the last days of the 20th century, on the brink of the 21st century. America has to decide what it wants to be in the new world order. Just as we have been a military superpower because of our technology, we must continue to be an economic superpower because of our technology, and the future lies in space. The future lies in life sciences, which will be done in space. The future lies in information technology which is crucial to space. All of the elements and components involved in the building, manufacturing, launching and maintenance of space are crucial to other of the 13 critical technology areas, and it is in high technology that the United States has led the way.

Bold people with entrepreneurial ideas have backed up what they needed to be able to do and invented new technology. That led to new products; that led to new jobs; that led us to being an economic superpower.

As a Member of the U.S. Senate, I have fought for science and technology, whether it has been the funding of the National Institutes of Health, whether it has been increasing the National Science Foundation budget, or a whole array of other activities. That is why I support this space station with passion and in fervor and, therefore, I move to table the Bumpers amendment.

The PRESIDING OFFICER (Mr. FEINGOLD). The question is on agreeing to the motion to table.

Mr. GRAMM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table amendment No. 905. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER], is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 272 Leg.]

YEAS—59

Bennett	Gorton	McCain
Biden	Graham	McConnell
Bingaman	Gramm	Mikulski
Bond	Grassley	Moseley-Braun
Boxer	Gregg	Murkowski
Breaux	Harkin	Murray
Burns	Hatch	Nickles
Byrd	Hatfield	Packwood
Campbell	Heflin	Pressler
Cochran	Helms	Riegle
Coverdell	Hutchison	Robb
Craig	Inouye	Roth
Danforth	Jeffords	Sarbanes
Daschle	Johnston	Shelby
Dodd	Kassebaum	Simpson
Dole	Kempthorne	Smith
Domenici	Lieberman	Stevens
Durenberger	Lott	Thurmond
Feinstein	Lugar	Wallop
Glenn	Mack	

NAYS—40

Akaka	Exon	Mitchell
Baucus	Faircloth	Moynihan
Boren	Feingold	Nunn
Bradley	Ford	Pell
Brown	Hollings	Pryor
Bryan	Kennedy	Reid
Bumpers	Kerrey	Sasser
Chafee	Kerry	Simon
Coats	Kohl	Specter
Cohen	Lautenberg	Warner
Conrad	Leahy	Wellstone
D'Amato	Levin	Wofford
DeConcini	Mathews	
Dorgan	Metzenbaum	

NOT VOTING—1

Rockefeller

So the motion to lay on the table the amendment (No. 905) was agreed to.

Mr. GRAMM. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. GLENN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LAUTENBERG. Mr. President, I rise in support of the Appropriation Committee's decision to fully fund the administration's request for $1.496 billion to be set aside for the Superfund Hazardous Waste Cleanup Program. But I also want to underscore the concerns of the committee, on which I sit, that the Environmental Protection Agency spend those dollars responsibly and frugally to maximize cleanup and eradicate the waste, fraud, and abuse which has plagued the program over the past 12 years.

A chairman of the Senate Superfund Subcommittee, I have already held six hearings this year on the reauthorization of the Superfund. During those hearings, GAO released a report which I had commissioned investigating Superfund cleanup contractors. That report found taxpayers being billed for

tens of thousands of dollars' worth of pearl necklaces, Movado Museum watches, Christmas parties, liquor, and season tickets to sporting events. The EPA inspector general also reported to me that the Superfund Program has suffered, like many other EPA programs, from major fiscal and information management problems that spring from an agencywide culture which has historically given low priority to good management practices. I have since introduced legislation and commissioned a no holds barred study by the inspector general to get to the bottom of these management problems and turn around the programs.

The hearings have not been without their good news. EPA has completed work at over 183 sites out of the 1,200 on the Superfund national priorities list, and wrested over $7.5 billion of cleanup work from the polluters. EPA has performed over 2,500 emergency removal actions to protect the public health and screened some 25,000 sites for possible Superfund cleanup work. EPA and the Justice Department have obtained a 9-to-1 return on each enforcement dollar spent by the Federal Government. And the full funding of the President's request will allow work at dozens of sites—including 10 to 15 sites in my home State of New Jersey—to proceed with final construction of the cleanup remedy in 1994 after years of studying and preparation by the Agency.

But the fact remains that it is absolutely imperative for the new administration to take aggressive and systemic measures to manage the Superfund Program more responsibly. EPA needs to fix its act so that even more sites can be cleaned up with our limited pool of Government resources. EPA should not take the full funding of the President's request as a license to continue the mismanagement practices of the past.

At my request, the committee has therefore placed an 11-percent cap on the program management or overhead costs incurred by the Superfund cleanup contractors that GAO investigated. The committee has also commissioned a report from EPA to identify within 60 days a timeline for correcting the serious fiscal and contract management problems that my hearing has uncovered. We have also placed a ceiling on EPA's administrative expenses at $240 million, a decrease of $52 million from the budget request, to force the Agency to trim fat from the running of this program.

These measures, together with the legislation that I introduced and no doubt other steps that we can take as we reauthorized the statute, will help to fulfill the considerable potential of this program.

COMMUNITY INVESTMENT DEMONSTRATION PROJECT

Mr. COHEN. Mr. President, I would like to bring to the attention of my colleagues a provision included in the VA/HUD appropriations report language which sets aside $100 million of section 8 housing certificates for the purpose of creating the community investment demonstration project.

In order to encourage pension fund investments in traditionally high-risk public housing projects, the Department of Housing and Urban Development has requested this set-aside as a means of subsidizing pension fund investments in multifamily housing projects. In a report by the inspector general of the Department, six areas were identified as especially troubled in the agency which included the section 8 rental assistance program and the multifamily housing projects.

The assets of pension funds in the United States today total in the trillions of dollars and have become an attractive source of capital for a variety of projects. Many see this pot of money as a lucrative source of funding for infrastructure projects.

I am very concerned, Mr. President, about the long-term implications of the use of public and private pension funds to meet political and social goals. First and foremost, I am concerned about any government influence which could create a conflict between what is good for retirees and what may be good for social policy. In addition, I have reservations about the wisdom of creating any new Federal guarantee or subsidy, which would create new liabilities for the Federal Government if the housing project participating in this pension demonstration fails.

Recently, there has been increasing attention focused on how the Pension Benefit Guaranty Corporation [PBGC] is plagued by underfunded liabilities and would not be able to meet its obligations if we experience major pension fund failures in this country. If the Federal Government is going to be involved in repackaging investments in low-income housing projects to make them more attractive to pension fund managers, it must also be prepared to absorb the risk.

In light of the discussion surrounding the troubles at the PBGC, as well as the size of our Nation's deficit, I would suggest, Mr. President, that it would appear to be ill-timed for the Federal Government to be developing new approaches to subsidize risky investment practices.

I believe that this pension fund demonstration project as provided for in the VA/HUD appropriations report does not responsibly consider the full implications of this project for retirees, and to the Government.

The VA/HUD appropriations bill report it states that "the committee has set aside 3,000 certificates pursuant to the Department's request for a pension fund partnership demonstration." It continues by saying, "it is the committee's belief, based upon the Department's own legal analysis, that no new legislative authority is required for these actions."

I find it troubling that a project with such policy implications warrants no more than single sentence description, with no guidelines on how the project will be implemented or safeguards on how the pension fund or the Government or the plan participant will be protected.

The House recently considered the Community Investment Demonstration Act of 1993 which addressed this specific proposal. Controversy which accompanied the bill led to additional restrictions being placed on the project and an added emphasis on Employee Retirement Income Security Act [ERISA] compliance. I am pleased that many of the House provisions which strengthened the safeguards on the demonstration project are in another housing authorization bill now pending before the Senate.

That is the proper way to proceed, Mr. President, not the offhanded approach taken in the bill before us today. This proposed project merits a healthy debate on the Senate floor. It has far-reaching policy implications for pension funds, their retirees, as well as the Federal budget deficit, since we are committing Federal funds to subsidize the investment of these pension funds.

I have great confidence that my colleagues on the Appropriations Committee will recognize the need for guidelines in this project and I hope that the restrictions included in separate housing legislation will be adopted. It is critical that as we explore pension fund infrastructure investment issues, we do so with careful deliberation and not establish a dangerous precedent by such open-ended appropriations as contained in this committee report.

Mr. WARNER. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. There is a question pending before the Senate which is the first excepted committee amendment.

Mr. WARNER. Parliamentary inquiry. First, may I have order so I can hear the Chair?

Ms. MIKULSKI. Mr. President, what is the pending order before the Senate?

The PRESIDING OFFICER. The pending order is the first excepted committee amendment.

Ms. MIKULSKI. I cannot hear you, Mr. President. The Senate is not in order.

The PRESIDING OFFICER. The question pending before the Senate is the first excepted committee amendment.

Ms. MIKULSKI. Which is what?

The PRESIDING OFFICER. Page 42, lines 16 through 24.

Ms. MIKULSKI. Has the Chair announced the vote on the Mikulski motion to table?

The PRESIDING OFFICER. Yes.

Ms. MIKULSKI. Has the motion to lay on the table been agreed to?

The PRESIDING OFFICER. Yes.

Mr. WARNER. Parliamentary inquiry, Mr. President. At what point in time will a Senator be able to send an amendment to the desk?

The PRESIDING OFFICER. The second-degree amendment would be in order to the excepted committee amendment which is pending.

Ms. MIKULSKI. Mr. President, I think it would help the colloquy between the Senator from Virginia and me if other Senators will take their seats so we can hear each other and understand each other, and come to an accommodation with each other.

Mr. WARNER. Mr. President, I would like to, at this time, explain the amendment that I desire to send to the desk because it is germane to the matters that we have just discussed relative to the space station.

The committee, and I think in a very wise way, Mr. President, fenced all funds beyond the expenditure of $1 billion, and left to the discretion of the committee the responsibility to review this program. I will read the pertinent paragraph. It is on page 145 of the committee report, Calendar 194, on each Senator's desk.

Bill language has been included to allocate these funds accordingly. In addition, the committee has included language that limits NASA in obligating more than $1 billion prior to January 31, 1994, for the space station program. This will enable the committee——

I repeat: This will enable the committee——

to assess the final design configuration of the station before agreeing to release the remaining funds appropriated in the fiscal year 1994.

The purpose of the amendment of the Senator from Virginia is to replace the committee with the full Congress and say that implicit in my amendment, this program is so important in terms of the additional and future expenditures as to demand the attention of every Member of this Chamber. No disrespect, no lack of confidence is expressed in here, either directly or in any other manner, imputed to the Appropriations Committee. But I want the Congress of the United States to determine whether or not $1 more than the $1 billion just authorized by this vote shall be expended for this program.

This program has been a moving target. According to my calculations, it has been delayed by 10 years, a full decade, from the commitments made to the Congress and the people of this Nation in 1984. We do not have, in my judgment, the costs. The lack of information is appalling.

We have debated those points. I do not wish to take a lot of time on this amendment. I have in essence stated all I wish to say.

So, Mr. President, I ask unanimous consent that the committee amendment be laid aside, and that the Senator from Virginia be allowed to send his amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. BRADLEY. Reserving the right to object, I would simply ask the distinguished manager of the bill, is this the way the distinguished manager of the bill would like to proceed?

Ms. MIKULSKI. First of all, Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will please come to order.

Ms. MIKULSKI. It had been my intention that when we had concluded the debate and vote on the space station, that would have brought to closure the issue of the space station, and then we could move on to other legislative matters. And there was an understanding that we would move to the amendment of the Senator from New Jersey.

Now the Senator from Virginia wishes to offer an amendment that really is questionable about whether it is legislating on appropriations. We just saw this amendment in the closing hours of the debate on the space station. I wonder if the Senator from Virginia could withhold his amendment, reserving his right to offer it later in the evening, and that in no way would preclude him, and have the Senator from New Jersey go ahead with his amendment, and the Senator from Virginia can discuss the matter with the Senator from Texas and myself.

Mr. WARNER. I find that to be a very reasonable request, Mr. President, by the distinguished Senator from Maryland, and I shall momentarily accede to it. I want to convenience the Senate and the managers in every way.

I wonder if I might get the manager's attention to ask if this amendment could be considered following the amendment to be offered by the Senator from New Jersey. I think within that space of time, I believe perhaps three quarters of an hour is to be devoted to the amendment of the Senator from New Jersey.

Ms. MIKULSKI. Having discussed the schedule for the evening, it was the intention to move with the Bradley amendment and conclude this by 6:30 or sooner, and move to the ASRM amendment, and we anticipated taking—it was the minority leader's request because of the extensive debate on ASRM, that it would allow the debate to go so that Senators could have a dinner break, and so on. Would the Senator consider following that routine?

Mr. WARNER. I ask that one other fact be taken into consideration. The Senator from Virginia requires only 5 minutes. I would agree to 5 minutes for the Senator from Virginia, and whatever the time the managers would wish on the other side. I can state my case very quickly.

Ms. MIKULSKI. Reserving the right here of the ranking managing officer, it might require a rollcall vote.

Mr. WARNER. I understand that it will in all probability. I am willing to indicate that it would be my desire to have a rollcall vote. But I would allow the managers to time that so as to convenience the Senate and the managers, such as could be coupled with another vote at any time desirable to the managers.

So we are talking about 5 minutes for the Senator from Virginia to present the amendment and the time required by the managers and others.

Ms. MIKULSKI. I would not preclude, that but we have been faithfully consulting with the minority leader and majority leader. This would alter the course of events that we had outlined, and I really would need time, as a courtesy to both leaders, to see what their thoughts are on the subject.

Mr. WARNER. Mr. President, I will accede to the wishes of the managers. I withdraw the unanimous-consent request, and I judge from the spirit of this colloquy on this matter that the Senator from Maryland can be, as always, very fair.

Ms. MIKULSKI. I will be fair and insist upon the Senator's right to offer his amendment if he so intends and wishes to do so.

Mr. BRADLEY. Mr. President, I ask unanimous consent that the pending amendment be laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 907

(Purpose: To reduce the appropriation for Selective Service System salaries and expenses)

Mr. BRADLEY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Jersey [Mr. BRADLEY] for himself, Mr. HATFIELD, Mr. FEINGOLD, and Mrs. FEINSTEIN, proposes an amendment numbered 907.

Mr. BRADLEY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 71, line 21, strike "$25,000,000" and insert "$5,000,000".

Ms. MIKULSKI. Will the distinguished Senator from New Jersey yield for the propounding of a unanimous-consent request?

Mr. BRADLEY. Yes.

UNANIMOUS-CONSENT AGREEMENT

Ms. MIKULSKI. Mr. President, I ask unanimous consent that there be a time limit of 30 minutes for debate on the Bradley amendment, with the time

equally divided and controlled in the usual form, with no intervening amendment in order prior to the disposition of the Bradley amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. Reserving the right to object for the purpose of asking the distinguished manager of the bill if that agreement has been cleared on this side of the aisle?

Ms. MIKULSKI. I believe it has.

Mr. BRADLEY. I say to the distinguished Senator that I talked to the Senator from Texas about that.

Mr. COCHRAN. This is a 1-hour time agreement with 30 minutes on each side?

Mr. WARNER. Further reserving the right to object, the Senator from Virginia wishes to address this amendment for a period for not to exceed 7 minutes. Am I assured that that time can be allocated in opposition to the amendment?

Ms. MIKULSKI. I was willing to have an hour.

Mr. President, I am going to amend my unanimous-consent request and ask that there be no more than 1 hour of debate on the Bradley amendment, to be equally divided in the usual form, and that no other intervening amendment be in order prior to the disposition of the Bradley amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRADLEY. Mr. President, I thank the chairman and the distinguished ranking member. I think the time is sufficient, and it might not even take the amount of time allocated.

Mr. President, on September 10, I came before the Senate with two principles by which to judge the value of Federal spending. First is that the spending provides something in the general interest and is essential to American public life, and if so, that the taxpayer funding is used in the most cost-effective way so that this specific public purpose can be met.

We all gave a lot of speeches during the consideration of the budget. We all said we were going to cut the budget when we came back in September, and we were going to vote for more spending reductions. We did not have enough spending reductions. So it was with that in mind, anticipating that there would be many more cut amendments—and in fact there have—that I laid out those two principles, that it would be in the general interest and that the taxpayer funding is used in only the most cost-effective way so that this specific public purpose can be met.

At that time, I also promised to propose amendments to cut spending that violate these principles. Today, the amendment before us is part of the fulfillment of that promise to offer amendments that would cut spending if they did not meet those two principles.

The amendment that is before the Senate now is to reduce funding for the Selective Service System by $20 million, from $25 to $5 million, with the intention that this money be used to terminate the system.

Mr. President, the Selective Service System no longer provides something that is in the general interest and essential to American public life. The fact is the Selective Service System is a dinosaur in the post-Soviet world made obsolete by two welcome developments: the creation of all-volunteer Armed Forces and the end of the Soviet threat.

Our all-volunteer force is a remarkable success story backed by reserves that are capable of handling the types of conflict we are likely to see—the Somalias, the Bosnias, and, yes, the Desert Storms of the foreseeable future.

Desert Storm proved that our volunteer force backed by reserves can put a half million men on the ground and support them without resorting to conscription. Indeed, Desert Storm also demonstrated that even were we to resort to conscription, our overloaded training facilities would be unprepared to handle the flow.

At the end of Desert Storm, 6 months after mobilization, there was still a backlog of thousands of reservists awaiting training. Such reserves would have priority over any conscriptees flooding the system. Now that we have voted to close so many military bases, this problem of not having adequate training space would only get worse.

The fact is, Mr. President, that we do not need a flood of draftees for any conflict we are likely to fight in the foreseeable future. I do not ask you to take my word on this. The Pentagon's own 1993–99 defense planning guidance scenario set found that only one of seven scenarios lasted long enough to require or allow for conscription. This was a scenario involving a reunified, rearmed Soviet Union with missiles aimed, as they were for 30 years, at the United States. Such a conflict is clearly not even on the horizon. Were this scenario to develop as much as we regret it, we would have a long lead time both to try to counteract the development by diplomatic and economic means and to develop a system to identify our 18-year-olds without paying millions of dollars per year in the meantime.

Indeed, this is what we have done in the past. The United States initiated registration in 1940, a year before the World War II draft became necessary. After the war, the Selective Service was disbanded and reconstituted in 1948 when the cold war took hold.

In this day, Mr. President, of drivers' licenses and Social Security records, I find it hard to believe we could not identify 18-year-olds in a cheaper and more timely manner than maintaining this system.

The same is true for the Selective Service System's other main activity which is developing plans for health care personnel delivery system capable of providing the skilled health care personnel a mobilized forces would need. The other residual functions of the Selective Service training draft boards, maintaining records, planning for contingencies could be managed within the shutdown funding or would disappear entirely.

Some may argue that $25 million per year is a cheap insurance policy in a dangerous world. I cannot agree. Twenty-five million dollars may seem a small figure to us in Congress who become use to talking in terms of billions and increasingly in terms of trillions. I do not think that spending $25 million per year just to come up with a list of 18-year-old men is a good use of the money.

Indeed, Mr. President, the Selective Service System is not even performing that task well. A November 1992 study by the U.S. Armed Forces Integration Agency uncovered severe overstaffing, poor morale, and overgrading in the work force. It found employees reading newspapers and magazines and freely admitting that they had no meaningful work to perform. As a result, the study recommended a cut of almost one-third of the work force. The study also found that work normally done by employees in grades 7, 9, 11, and 12 was being done by employees in grades 12, 13, 14, and 15; in other words, higher paid workers doing lower skilled jobs.

The study also found that workers were using technology that was badly out of date; for example, using a keypunch system to enter names.

Mr. President, I guess it should not be a surprise then that the study also found that morale in the Selective Service System was extremely low. The Selective Service played an important role during the cold war, but the cold war is over and keeping this outdated relic is a luxury that we should not afford. It is time to end Government by inertia, phase out the Selective Service System.

Mr. President, I reserve the remainder of my time.

How much time remains?

The PRESIDING OFFICER. The Senator has 22 minutes and 14 seconds.

Who yields time?

Ms. MIKULSKI. Mr. President, how much time do the opponents have?

The PRESIDING OFFICER. Thirty minutes.

Ms. MIKULSKI. I yield myself 5 minutes and I understand on this side, Senator THURMOND wishes to speak.

Does the Senator from Mississippi wish to speak on this?

Mr. COCHRAN. No.

Ms. MIKULSKI. Mr. President, let me yield myself 5 minutes on the amendment.

I rise in opposition to the amendment offered by the Senator from New

Jersey. I believe we need to maintain a viable Selective Service System, but I also believe that regardless of what one thinks about the future of this Selective Service System, it should not be decided on the appropriations legislation. It should be decided through an authorizing framework in which legislation is introduced to eliminate Selective Service and which there would be a wide range of hearings on whether it should be continued, and we would consult with the Joint Chiefs, the Department of Defense, the appropriate Armed Services Committees and then come to a sound, sensible, rational conclusion based on ample debate on this and not coming in through the appropriations process through a back door to defund it.

Selective Service is highly ready and capable of placing the first draftees in military uniform within 13 days of being given the legal go ahead. If the entire Selective Service System is terminated, it would have to be rebuilt from scratch if ever needed again. Even in a crisis this would take at least a year or more.

With today's 97-percent registration compliance rate, any future draft, if needed, would be the fairest and most equitable in history. Experience shows that the public will not long tolerate the draft if it believes it to be unfair.

Today, young men are saying registration is no big deal. They consider it a civic responsibility and for some, in many families, a rite of passage.

Decisions regarding the future of Selective Service are national security policy decisions. Any major changes should not be made exclusive through the appropriations process, and the only reason it is on VA-HUD and not on Armed Services is that it is an independent agency. The Army, the service which utilizes 90 percent of all men drafted from 1948 until the draft ended in 1973, is vehemently—vehemently—opposed to any change in the status quo for Selective Service particularly through this arbitrary back door way of doing it. The Joint Staff and the other military chiefs support it as well. And virtually all national patriotic and veterans' associations have recommended the Selective Service be retained.

The lasting impression made by every man by the act of registering creates a better climate for the military recruiter—an important consideration. It also says that in this country you have certain obligations. For every opportunity, there is an obligation. For every right there is a responsibility. And registration to serve your country through military service in the event of a cataclysmic situation where the President would return to the draft is one of those rights.

The Selective Service is in the process of making internal management changes to reduce personnel and increase operating efficiencies, and I must tell you they need it, they really do need to step up to the new world order. But I believe they will.

And also we have asked the respective authorizing committees in Armed Services to review this and make a recommendation to the U.S. Congress for next year.

But with the 11,000 community volunteers and the small full-time staff, the agency makes available enormous emergency capability for a relatively small annual budget. DOD, as I said, would be looking into it, and I really, though I respect the Senator from New Jersey tremendously and know his concern about waste and his desire to eliminate unneeded Government agencies, this is not like the tea-tasting commission, Mr. President. We do not have to drink tea. If you are 18-years-old, you are a male in the United States of America, and you are a citizen, you have to register.

If you want to change that, then let us do it through the authorizing committee. Do not do it through the Appropriations Committee.

The honor, the integrity, the history, and the tradition of the Selective Service would deserve no less than at least a fair hearing and ample debate.

Mr. President, that concludes my argument thus far.

I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Who yields time to the Senator?

Ms. MIKULSKI. Is the Senator from South Carolina a proponent or opponent of the amendment?

Mr. THURMOND. I am in favor of the Selective Service System.

Ms. MIKULSKI. Then I am the person to yield you time, and I would be delighted to yield to the Senator from South Carolina 10 minutes.

Mr. THURMOND. I thank the Senator.

Mr. President, in the fall of 1940, as the war clouds rumbled across the globe, President Roosevelt signed the Selective Service and Training Act. Today, we are fortunate to no longer need a draft; however, the Selective Service System still provides the Nation with an inexpensive national defense insurance policy.

The registration system managed by the Selective Service is an unqualified success. Nearly 99 percent of the Nation's draft eligible men, ages 20 through 25, are registered. Additionally, because of the agency's ongoing program and continuous mobilization planning, the system is ready to resume a draft at a moments notice, should the Congress and the President decide that conscription is needed in an emergency.

While the peacetime registration program is an important and highly visible part of the Selective Service Agency's mission, its primary mission is mobilization readiness. At present, Selective Service is capable of placing the first draftees in uniform within 13 days of being given legal authorization. The high compliance afforded by peacetime registration guarantees that any future draft, if needed, would be the fairest and most equitable in history.

Mr. President, the Selective Service provides another, less visible service; it reminds our youth of their obligation of citizenship. As the Nation's young men attain the age of 18, they gain the greatest privilege of citizenship, the vote. At the same time, they register with the Selective Service, a reminder that their right to vote was gained through the sacrifices of others. Registration is a responsibility they should undertake with pride and one that brings them over the threshold of manhood.

Mr. President, the administration recommended $30 million for the Selective Service. The Appropriations Committee provided $25 million. Senator BRADLEY now wants to cut that to $5 million, which is unreasonable. If the Senate agrees to the Bradley amendment it would be a travesty. The Selective Service provides an enormous emergency capability for a relatively small, annual budget. For over 50 years, it has provided critical functions in the areas of peacetime draft registration, mobilization and, most recently, a health care personnel delivery system. Since it is impossible to forecast the military challenges which lie ahead and the Nation is drastically reducing the size of its military services, it is imperative that we maintain the capabilities of the Selective Service System.

Mr. President, we all hope and pray that our Nation is never again involved in a crisis of such magnitude that a draft becomes necessary. However, we must maintain the capability of mobilizing America's manpower should it be needed. The Selective Service System provides that capability, a hedge against the unknown.

Mr. President, I urge my Senate colleagues to vigorously oppose any attempt to eliminate the Selective Service System. It is our Nation's insurance policy for future mobilization, and like any insurance policy, if we want the benefit, we must pay the bill.

Mr. President, I ask unanimous consent that an article on the Selective Service System written by retired Gen. Maxwell Thurman, the former Vice Chief of Staff of the Army and commander in chief of the Southern Command, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 31, 1993]

SAVE SELECTIVE SERVICE

(By Maxwell R. Thurman)

The House of Representatives took a giant step backward in its constitutional obligation to "provide for the common defense." Fortunately for the nation, the Senate has an opportunity to set matters right.

In late June, the House voted to cut $24 million from the 1994 budget of the Selective Service System, leaving $5 million to shut down the agency.

An amendment to the Veterans Administration, Housing and Urban Development and Independent Agencies Appropriations Bill would have restored $20 million, but was defeated by five votes.

Although an Aug. 17 story on the Federal Page of The Washington Post practically celebrated the House action, there are two overreaching reasons why the Senate should restore the money.

First, Selective Service is needed to undergird the national military strategy review now underway in the Clinton administration.

Second, and more important, it is consistent with the ideal of selfless service to our great nation.

What is clear—even though Defense Secretary Les Aspin has not completed his "bottom up" review of strategy—is that the size of the nation's military will continue to shrink.

An educated guess would be that 11 aircraft carriers, 20 tactical fighter wings and 10 Army divisions—rounded out by reserve component units—will be preserved.

This means fewer forces in being—active, reserve or National Guard. The impact of these cuts on future national security occurs this way. With fewer forces, the pool of soldiers who have completed their military service but are obligated for recall in an emergency will shrink. And the question might be: So what?

The Persian Gulf War illustrates the point. If Iraq's Saddam Hussein had used his chemical weapons or effectively massed his Scud missiles, American and coalition force casualties would have been dramatically higher.

These men and women, who had completed their active service, were available for duty in the Persian Gulf as replacements if there had been large-scale casualties.

Thank God, we didn't need them.

The smaller the structure, the less room we have for error in force calculations. Weapons of advanced technology and mass destruction are available to third-, fourth- and even fifth-rate armies. We know that nine countries are now capable of delivering nuclear warheads. That number is expected to rise to 25 by the year 2000.

A functioning Selective Service is an important backstop should our forces suffer unexpected casualties in a future conflict. The ability to rapidly call young men to duty for training could, indeed, deter wrong-headed despots from using weapons of mass destruction against our forces.

Could we expand our military in times of crisis without Selective Service or peacetime registration?

Today, with the agency fully funded and with peacetime registration, the first draftee could be serving in uniform within 13 days of authorization to return to a draft. If peacetime registration ends and all other elements of Selective Service remain in place, then the first draftee could be serving in uniform in 42 days. If the entire agency and all its programs are terminated, it could take a year or more to get the draft going again.

Selective Service would have to be reinvented, and all of this would take valuable time—something not always available in a crisis.

The second reason to keep the Selective Service registration is grounded in full citizenship.

At 18, young men now register to vote. With the right to vote comes a larger responsibility to serve the republic. Enrollment in Selective Service is one of those responsibilities, but it's a vitally important one—to rally to the national defense if necessary.

Ninety-seven percent of America's young men comply with the registration law.

On Aug. 12, 1941, less than four months before Pearl Harbor, the House of Representatives voted to extend the draft by a single vote. I hope this Congress has similar courage and farsightedness.

Vote to keep the Selective Service System.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. Mr. President, I yield to the distinguished Senator from Virginia.

The PRESIDING OFFICER. How much time is yielded?

Ms. MIKULSKI. I yield 5 minutes to the Senator.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia for 5 minutes.

Mr. WARNER. Mr. President, our distinguished Republican leader addressed the Senate today in the context of a wire report we received about the worsening instability in the Soviet Union, the former Soviet Union in Russia.

There are further reports of a possibility—and it is not confirmed—of an airplane being shot down, a Russian airplane over Georgia. I cannot confirm that.

But it is that type of report that descends on the United States at this unexpected hour which justifies, in my judgment, the continuation of the Selective Service.

I remember so well the summer of 1950. I had just finished my first year of law school. I was happily expecting to go on to the second year when, out of the blue, North Korea went over the border and into South Korea. And, in the summer of 1950, very quickly, my Reserve unit was called up, and I and others volunteered to go on active duty. I remember it vividly, just as if it were yesterday.

Those types of things happen. And, fortunately, we had in place a draft. Fortunately, there were sufficient reserves to come in and augment the Regular forces at that critical point in our history. Therefore, I think it is a very modest expenditure to keep an important insurance policy in this Nation.

Furthermore, I have had the marvelous privilege and honor to raise a son and work with his generation. And while his generation is a year or two beyond really the callup age at this time, I watched those youngsters grow and I watched them tolerate my stories about World War II and Korea. And while they are somewhat contemptuous of the Selective Service, down deep in the hearts of that younger generation is a feeling that, if necessary, they will respond, will respond in the time of need in the same manner as our fathers and our grandfathers and our great grandfathers.

I think when a young person registers, that young person says, "I stand for America. I stand to help America if our freedom is ever challenged."

Everything we are doing today, like the health bill, is directed toward individual Americans accepting more responsibility for the future of this country. I commended Mrs. Clinton yesterday when she came before many of us here in the Senate and the House and talked about the health bill. But the theme underlying the administration approach, as it should be, and the theme underlying the Republican bill introduced by our distinguished colleague from Rhode Island, is more responsibility on the individual to care for himself or herself and to accept the burden associated with additional health care, not only for themselves but for others. That is a burden of responsibility as a citizen. That is the very essence of Selective Service. Stand up and be counted. You are ready to serve your country in time of need.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from New Jersey.

Mr. BRADLEY. I yield 10 minutes to the distinguished Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 10 minutes.

Mr. HATFIELD. Mr. President, the Senator from New Jersey has introduced a welcome amendment and I commend him for taking this action. Knowing Senator BRADLEY's commitment to the wise use of scarce Federal resources, I think that the Senate should take seriously his comments that the Selective Service System, which registers young men for the draft, is outdated and a waste of taxpayer money.

I rise today in support of this amendment.

Mr. President, since 1980 we have thrown away at least $20 million a year on this program. During the House debate this past June, some supporters of Selective Service claimed that the program was a relative inexpensive way to ensure that our Armed Forces were never vulnerable to the lack of manpower. I have to ask, relative cheap to what? What Federal program—except perhaps defense programs—does not go wanting for additional resources. Could this Senate not find a better way to spend $28 million a year? On health care? On student loans? On disaster relief for the Midwest?

It seems to me that Selective Service is about as valuable as tidal wave insurance in Iowa.

Every decision Congress makes represents a choice. In this era of high budget deficits, we do not have the luxury of funding programs which have no mission and, according to auditing reports, function rather haplessly.

This program is intended to provide 100,000 inductees 28 days after mobilization. Desert Storm showed us that such a rapid influx of inductees was not necessary. And DOD war simulations apparently do not call for a draft unless the Soviet Union is miraculously recomposed and rearmed. I don't think anyone here expects that to happen nor do I believe that the Selective Service System is a deterrent to such an occurrence. If someday we do face such an ominous threat I have full confidence that Congress, the President, and the military leadership will revisit the need for registration.

But we do not face such threats now. Military pay and benefits have been enhanced to ensure that we recruit some of our Nation's best and brightest young people for each branch of the armed services. Our Reserves are given the tools and training necessary to be the vital backup to our Active Duty Forces.

Absent a need for 100,000 inductees, spending this money every year is not good stewardship. The Selective Service System is so riddled with problems that the Appropriations Committee itself, in its report issued only a few days ago, questions its ability to do its job adequately and efficiently. The report reads:

> If the Selective Service System is to continue * * * the Committee believes that the Agency must change, and change dramatically. The Committee has been disturbed by repeated reports that the Agency is overstaffed, suffers from widespread poor morale among its employees, and seemingly has little self-discipline to correct its own internal problems.

These are the words of the Senate Appropriations Committee, describing the program being defended by opponents of the pending amendment.

In light of these mission and mismanagement issues, the argument that the Senate should not make this decision today falls flat with me. Since 1948, when the system was first set up, decisions on draft registration have been made in the context of either Executive orders or appropriations bills. President Ford ended draft registration in 1975. President Carter decided to restart registration in 1980 and it was the Appropriations Committees which implemented the new program by approving funding. So don't let the smokescreen fool you: Congress has every right and every responsibility to make decisions on this and every issue which costs precious dollars. Many millions of dollars.

I believe that this amendment can be successfully defended and promoted on a fiscal responsibility platform. The Selective Service System is an expensive program which has no relevant value to our military readiness. It is as simple as that.

But the debate, I believe, can and should go much deeper. For we have not been promoting draft registration for the purposes of military readiness. Since 1980 draft registration has been a symbol rather than a tool. President Carter made it clear that he was reinstating registration as a warning to the Soviet Union. He described the draft as a further demonstration of our resolve as a nation. I suspect that this is why many veterans groups support the continuation of registration and I do not question their sincere interest—which is also ours—in keeping America safe and strong.

But I believe we should not equate symbolism with strength any more than we should link forced registration with patriotism. I have great confidence in the American people and their commitment to the security of the Nation. If that security is immediately threatened, we will respond. After the attack on Pearl Harbor, over 300,000 men volunteered for service. I do not doubt that such a response would occur again if the need arose.

And yet compulsory military service goes against the very foundation of our Nation. Families and individuals fled Europe to escape tyranny. Our system of government does not give warmaking authority solely to the Executive, to ensure that any military action not in response to a direct threat to our Nation has the support of the American people.

Compulsory military service not only threatens individual liberty. It also violates the right of conscience for those who are opposed religiously or morally to war. To one who has fought consistently for the rights of sincere conscientious objectors, it is a great irony that such a burden has been inflicted upon conscientious objectors by draft registration.

Some argue that the Selective Service System is a painless, cheap, and efficient program. For young men who seek to declare themselves conscientious objectors it is none of the above. Those who feel they cannot register for moral or religious reasons find themselves facing up to 5 years in prison and up to $250,000 in fines.

Mr. President, we have the information and the reasons to terminate Selective Service: We know that conscientious objectors are faced with a burdensome and possibly punitive process. We know that the System is poorly managed and wasteful. And we know that no foreseeable threat requires the continuous collection of the names and addresses of our Nation's 18-year-old young men.

Mr. President, I would like to make a few additional comments. As a former military adviser to a university in the time of the Korean war when we had the so-called Selective Service Act in place and were recruiting young people to fight in that war, I want to emphasize, it should have been called the discriminatory service act. Because that is exactly what the word selective means. It has always been discriminatory.

If you could qualify for college you had an exemption. That was the kind of discrimination that this whole act has represented. It is the most odious form of recruitment ever known to the Western World, and why our ancestors came from Europe. They came to escape the kind of conscripted armies the kings and dictators of Europe employed over centuries.

We go back to the Civil War and find the reaction against the draft, because that was so un-American. When President Lincoln adopted the Selective Service Act, riots broke out in the big cities of the North, the so-called liberal North.

Further, as far as this business of an insurance policy, that is a specious argument. In no way does a national emergency use a Selective Service Act to guarantee the manpower and the womanpower necessary to pursue military action, because you have to train them. You do not throw raw recruits into the front lines or into battle. You have a long delay. It is not an emergency measure. It is not an insurance policy in that sense.

Our insurance is the Reserves and the National Guard of this country. That is the reserve. That is the insurance policy for military requirements.

When we had the Persian Gulf war, some of the first people into battle were the National Guard troops of the United States. When I listen to the proposals to reconfigure the military today, I am jealously guarding the role of the National Guard. We must maintain the citizen Army. That is the way the American tradition is. Not an odious draft, which is involuntary servitude.

I was down at the White House today for the signing of the National Service Act. And the President of the United States and all those who spoke referred to the fact that our young people are willing and anxious to move into service to our Nation. As a veteran of World War II, and not as a draftee, as an enlistee in World War II, I was one of millions of young Americans responding to our country's call.

Further, if it had not been for the Selective Service Act we would not have had the longevity of the Vietnam war. Why did the war that was never declared by Congress last so long? Because the Presidents, from President Kennedy to President Johnson and President Nixon, had an unlimited supply of manpower and womanpower to throw into that war. This is another check and balance on the war powers of the President under our Constitution.

In no way in my view does a Selective Service play a legitimate role in the defense of this country in peacetime or in the beginnings of wartime, because we rely upon the Reserves and the National Guard for those emergencies in the beginnings of any war. If there is going to be longevity then the Selective Service may have to, especially in an unpopular war, recruit people by this kind of mandatory service.

I cannot emphasize too strongly the discriminatory character of this program and the need to end it now. This present status was a result of our efforts earlier in the Congresses years ago to end the Selective Service Act. They persuaded the majority of the Senate and the House to sustain it on this modified restricted basis. This is the time to call a halt. This is the time to save that money and get rid of this blot on our public record of having the kind of involuntary servitude requirements continued on the books.

I yield the floor.

The PRESIDING OFFICER (Mrs. FEINSTEIN). Who yields time? The Senator from New Jersey.

Mr. BRADLEY. Madam President, the eloquence of the distinguished Senator from Oregon, as usual, puts the point directly to the Senate. Do we need the Selective Service System? The answer is no. The world has changed. The world has changed. The pages of history have turned. We no longer are facing a monolithic, ideologically hostile, heavily armed, nuclear-tipped Soviet empire whose missiles are aimed directly at us. That is no longer the threat.

The issue is do we need to have the right, do we need to have the ability, do we need to have a Selective Service System in place that does nothing but keep a list of 18-year-olds?

We have an active duty force of 1.5 million. We have a reserve force of 1.1 million.

The point was made, the Selective Service System says they can deliver 100,000 draftees, if that event ever occurred, in 28 days. But how would they be trained? We could not even train the reservists that were called up for Desert Storm.

The issue really gets back to, do we want to spend $20 million maintaining a list of 18-year-olds? Could we do it in a cheaper way? Could we do it with a little lead time? If things began to deteriorate dramatically in the Soviet Union, could we reinstitute? The answer to all those questions is yes. Yes. We could. But inertia carries us forward, inertia that we need to pay $20 million to have people performing their job who the report that was issued by the Army Integration Agency Study Team says, "had no meaningful work to perform."

Do we need to spend $20 million? Or should we spend the $20 million?

Mr. BENNETT. Will the Senator yield for a question?

Mr. BRADLEY. I will be pleased to yield to the distinguished Senator from Utah, for whom I have the greatest respect, as he shares with me one of the unique attributes—of being a tall person.

Mr. BENNETT. I thank the Senator. I come to this issue without baggage of any previous knowledge so I would appreciate it if the Senator could enlighten me. Let us assume that we agree to the amendment of the Senator and then at some time some threat arises. Does the Senator have any idea how long it might take, or how much money it might cost, to reconstitute something along the line of the Selective Service System 4 or 5 years from now if that should be required?

Mr. BRADLEY. A list of 18-year-olds can be compiled very quickly from drivers' licenses and Social Security records. They ought to be computerized in States across this country. How long would that take? It depends on the urgency of the moment. It is not a problem physically impossible to accomplish in very short order.

Mr. BENNETT. Would the Senator assume that it can be accomplished for something less than $20 million?

Mr. BRADLEY. I do.

Mr. BENNETT. Madam President, if I might be allowed to comment, I attended a briefing by Colin Powell, the Chairman of the Joint Chiefs, in which we were talking about various military matters. He pointed out to us the changing nature of the world in a very dramatic fashion. He said:

> For most of my years as Chairman of the Joint Chiefs, I had to assume that the planning time to respond to a threat was 14 days. The military experts told us it would take 14 days for the Soviets to mobilize and move through the folded gap into some kind of attack on Europe.

At the present time, he says our threat assessments are based on the assumption of 3½ years. That is how much the threat has changed, from 14 days of prior notice to 3½ years of prior notice. I find, as I listen to the debate, I am somewhat persuaded that in 3½ years, we would save approximately $90 million. We could probably buy a pretty good list at the end of 3½ years for somewhat less than that.

Does the Senator agree with that assessment?

Mr. BRADLEY. Madam President, I would certainly agree with that.

Let me say to my distinguished friend as to the prospect of having to fight a land war in Europe against a monolithic Soviet military, a ground war would not be something that would hit us overnight. As you know, the Russian forces are pulling out of Germany. That will be completed next year. They are pulling out of Lithuania; they are pulling out of Poland.

They are pulling out of where they were deployed, in which they represented a threat. That no longer exists. If there were internal changes sufficient to bring this about, we would have plenty of lead time.

We are going to have a bumpy road. It is going to be an uncertain road as to what happens in Russia. Every time there is a development, our response is, "Well, we have to prepare for the Soviet Union circa 1979." I think that we would be making a serious mistake.

The point is $20 million. Do we want to save $20 million, or do we not want to save $20 million? You get a list of 18-year-olds, and that is it.

Mr. BENNETT. I thank the Senator both for his amendment and for his explanation.

Mr. BRADLEY. I thank the distinguished Senator for his comments. I think he is very correct in pointing out that this would save a considerable amount of money, and we should save it now.

The PRESIDING OFFICER. Who yields time?

Ms. MIKULSKI. As the manager on the opposing side, I yield to the Armed Services Committee chairman 5 minutes.

Mr. NUNN. Madam President, I thank the Senator from Maryland.

Back in 1980, I led the effort in Congress to reinstate the registration. The world environment was very different back then. We faced a numerically superior Warsaw Pact in Central Europe. Our contingency plans called for the United States and our allies to be prepared to fight a very large land war against the Warsaw Pact with warning time that was very limited and response time that was very limited. We were debating whether it was a matter of a couple of weeks or just a few days.

For example, we had plans at that time to have 10 divisions on the ground in Europe ready to fight within 10 days of the decision to mobilize. Under those circumstances, obviously, we had to have a mobilization capability that would allow us to increase the size of our military forces very rapidly. That meant maintaining a training base in the Defense Department to accept and train large numbers of inductees in the event of mobilization. It also meant that we needed a Selective Service System that could provide large numbers of inductees to this training base shortly after the decision to mobilize.

Before the reinstitution of registration in 1980—and that was under the Carter administration, as I recall—it would have taken the Selective Service System at least 6 months to deliver any inductees to the military training base. In other words, that is when the first ones would arrive, and it would take even longer to deliver large numbers of inductees. Under most of the planning scenarios at that time, we were to face severe and probably crippling shortages of manpower in our military forces by the time the military training base could respond with trained inductees.

Reinstituting registration corrected this very serious shortfall in our military mobilization capability by allowing Selective Service to deliver our first inductees to the military services 13 days after mobilization, and 100,000 inductees within 30 days of mobilization.

There is a different situation today, and the Senator from New Jersey makes that point and makes it strongly. There is no huge Warsaw Pact army threatening the NATO Alliance on the ground in Central Europe. Warning time for large conventional war in Europe is currently measured in years, not in days or a few weeks.

Last year, our committee anticipated that the requirement to continue registration should be reviewed. In last year's defense authorization bill, we directed the Secretary of Defense to submit a report to the President by April 30, 1993, concerning whether we had a continued requirement for registration under the Selective Service System. This provision also required the President to follow that report with any recommendations to the Congress by May 31 of this year.

Unfortunately, and particularly unfortunately because we are having to debate this today, the Defense Department has not met this reporting requirement. They have not sent their report to the President. We do not have the President's recommendations.

Before Congress makes a final decision on terminating or continuing registration, I think we ought to hear directly from the senior military and civilian officials of the Defense Department on this question, particularly since we have just had the Defense Department under the new administration complete a bottom-up review which changes the scenario by which we posture our force requirements. There are a lot of questions that have to be answered.

My main objection to this amendment is that it is premature until we hear from these people who are in charge of making these kinds of detailed plans. It may be the Senator from New Jersey is correct. It may be we do not need registration, but there are some key questions I think need answering.

First of all, with the disintegration of the Warsaw Pact and the increased warning time of any likely large-scale land war requiring mobilization, do we need to continue registration? That is the Senator's question, and he asserts that we do not.

He may be correct on that particular question. But Secretary Aspin's recently completed bottom-up review bases our force levels, our future force levels, on the requirement to respond to two major regional contingencies occurring nearly simultaneously; something like a Persian Gulf-Iraq war and something like a Korean war; or even some other conflict, for instance, something in Yugoslavia or other places. Would we have to reinstate Selective Service in order to fight and win two simultaneous major regional contingencies?

I note that the House Appropriations Committee, in their report—and that was done before the bottom-up review—basically said, and if I have a copy of that quote, I think it is very relevant—quoting from that report, and I believe this is a direct quote:

> Desert Storm was the largest mobilization of U.S. forces since Vietnam, and it was done without using the Selective Service System. In the post-cold war environment, there are no credible threats that could require mobilization of U.S. forces larger than Desert Storm.

Madam President, could I have 2 more minutes?

Mr. GRAMM. I yield the distinguished Senator from Georgia 2 more minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 more minutes.

Mr. NUNN. Madam President, I thank the Senator from Texas.

Madam President, the premise on which the House took this action is a flat-out contradiction of everything they found in the bottom-up review. Our whole force posture is based on two simultaneous regional conflicts. The House took this action, the House Appropriations Committee, based on nothing more serious than the Persian Gulf conflict. So, I think we need to get some more answers to the questions.

Do we need to have registration? We have not yet decided how many forces we are going to deploy, if any, if there is a peace agreement in Bosnia. The President has indicated somewhere in the 20,000–25,000 range. Well, people say, that is not many. But you have to have a rotational base. You probably have to have at least 50,000 to 100,000 troops in order to keep 25,000 deployed.

If there is a Middle East settlement between Israel and Syria—we have already heard the Secretary of State talk about U.S. forces being part of a U.N. contingency operation there—I do not know how many would be there. But we are talking about large numbers of troops being deployed in positions from which they will not be able to be moved in any kind of conflict. We have to take that into account.

Do the relatively modest costs of maintaining the Selective Service System at current levels of readiness outweigh the risks to our national security of putting the system in deep standby?

Madam President, in effect, this is an insurance policy. It is a more remote policy than we had before. Five years ago there was a much more likely set of circumstances under which we needed this.

The real question is, Is the risk so remote that we no longer need to spend the money? I, for one, am not comfortable in making that judgment on the floor today. I know the Senator from New Jersey has made his arguments. He made some valid arguments, some with which I will take issue. But I believe we would be much better served, particularly since this is already in, I believe, the House appropriations bill, to leave this provision like it is in the Senate, to move on to conference, and to demand that the administration give us answers to these key questions.

The Senator from New Jersey is correct. These questions need to be answered. We cannot justify even the relatively small amount, considering the overall Defense budget, of $20 million a year unless there is a case made for it. That case has not been made, but I believe it is premature to simply abolish the whole system at this juncture. So, I would vote at this stage against the Bradley amendment.

I thank the Chair for being patient.

The PRESIDING OFFICER. Who yields time?

Mr. BRADLEY. Madam President, how much time remains on the side of the proponents?

The PRESIDING OFFICER. The time remaining is 9 minutes 53 seconds.

Ms. MIKULSKI. And on the opponents' side?

The PRESIDING OFFICER. On the opponents' side, 6 minutes 46 seconds.

Mr. BRADLEY. While the distinguished Senator from Georgia is in the Chamber, I would like to confirm with him on the bottom-up review, what did the bottom-up review say about conscription, if anything? It is my understanding that there was not a large section of the bottom-up review that even dealt with the issue of conscription.

Mr. NUNN. The Senator is correct. As I mentioned, the report that was due on this subject in April has not yet been delivered. I can understand that because they probably wanted to conduct the bottom-up review first. But I think there are a whole set of questions that flow out of that analysis directly relating to this question that we need answers for that we do not now have.

Mr. BRADLEY. I thank the Senator. I would like to yield 3 minutes to the distinguished Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized for 3 minutes.

Mr. BENNETT. I thank the Chair.

As I said in my colloquy, I come to this issue with no background and am trying to learn about it on the floor.

My reaction to the things I have heard in this Chamber is that we might be well disposed, in spite of the comments made by the chairman of the Armed Services Committee, to pass the amendment of the Senator from New Jersey because it would seem to me

that the Selective Service System being kept in place—and I would be happy to have the distinguished chairman correct me if I am wrong—runs the risk of being somewhat archaic, coming out of the experience of the Second World War. I was called up under this system, and it may well be that if, indeed, we have need of a list of 18-year-olds, with modern computer technology, it can be compiled much more rapidly and much more intelligently with the new system created when the threat arises rather than maintaining $20 million a year in the present circumstance.

I just have trouble with this. I do not feel very strongly one way or the other. But as I listened to the arguments, it seems to me to make sense to terminate what we have now and if, indeed, the Secretary of Defense comes along and says, no, we need some kind of system to keep a list of 18-year-olds, let the Secretary give us a recommendation for a system based on today's technology and the computer lists that are available in the various States for drivers' licenses, et cetera, so that we could move more quickly and more efficiently in a new circumstance.

I would be happy, Madam President, to be enlightened on that issue by any of the Senators on the floor.

Mr. NUNN. If the Senator is posing that to me, I would say that he makes good points. Those are good questions. The problem with this amendment at this time is, if it goes in this bill now, it will not even be a conferenceable item, so there will not be any reason to hear from the Department of Defense. This system will be abolished unless the President vetoes the bill. And if the President vetoes the bill, it will probably be for other reasons. So I have a hard time saying we are ready to make this kind of decision. Maybe the Senator from New Jersey is, but I am not ready to make this decision.

For instance, it is entirely possible with new computer technology that we could alleviate the burden of 18-year-olds having to register but keep the computer capability so that we keep updated files of addresses. And there may be a way to do that even through a drivers' license system or some other system which would be less expensive and less burdensome, although I do not think this is a large burden on 18-year-olds. So I would say to the Senator that that is one of the options.

But the problem of starting over on Selective Service is not possible politically. If this system is abolished now, believe me, no matter what system anybody comes up with, there will not be a substitute. You will see protests all over the country. Right now, nobody in the 18-year-old category has even written me saying this is a burden.

One virtue of this system is that it lets young people know that there are contingencies under which they might have to serve this country. In a period of time when we have alleviated the draft for young people, when there is no real burden, most young people—particularly upper middle-class young people, high economic groups—are not even serving in the military unless it is as officers. Our enlisted corps is increasingly made up of people in middle and lower economic groups. And I commend them for serving, but I think there is an argument that should be made that there ought to be, at least in the minds particularly of our more prosperous young people who are not interested in the military these days, some kind of contingent liability for service to the country. I am simply saying let us take our time on this and know what we are doing.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. BRADLEY. Madam President, how much time remains?

The PRESIDING OFFICER. Four minutes 34 seconds on the Senator's side and 6 minutes 46 seconds on the other side.

Mr. BRADLEY. Madam President, I would again like to remind the Senate for what this money is being spent. It is being spent for an agency, the purpose of which is outdated, in my view. As I heard the remarks of the distinguished Senator from Georgia, his lips were saying, no, no, not now, but I think his eyes were twinkling and saying, yes, maybe in the future. Time will tell. But I know what is happening to that money now. A U.S. Army Integration Agency study in November 1992 found:

> The extent of the overstaffing existed to the point that on several occasions employees of the agency informed members of the study team that they had no meaningful work to do.

Employees who were at grades 12, 13, and 14 were doing work that should have been done by 7, 9, and 11 grades. This is a waste of taxpayer money being expended against a ghost possibility. You could achieve the same list of 18-year-olds in a more modern, efficient way by using driver's licenses and Social Security. This is a new world.

We have all made speeches about cutting the budget. This is the perfect example of an agency that has outlived its purpose. How many times have you had town meetings where you said, "I want to cut the budget." Somebody says, "Well, did you ever eliminate anything, Senator? Did you ever eliminate a program, Senator?" Some people say yes. Most people say no.

This is your chance to eliminate a program, the Selective Service System. It should be eliminated. This amendment will eliminate it. And I hope we get a majority vote to eliminate it.

Ms. MIKULSKI. Madam President, I yield myself such time as necessary of the remaining time.

Madam President, we are debating whether or not we should have a Selective Service. That is not the point of what we are doing on appropriations. The debate on Selective Service and should it continue should be done through a regular authorizing framework, not a back door line-item x-ing out of a program that has been part of this Nation's fabric and has been the organizational structure to call men to arms at a time of war.

I will not go easily into the night with voting on terminating Selective Service through this back door line-item no-matter-how-well-intentioned amendment. If you want to eliminate Selective Service, introduce legislation that terminates it. Then it goes to something called the authorizing committee. They are very jealous of their jurisdiction. They tell us they set the policy. We the appropriators should be the quiet guardians of the purse.

Now I find myself defending whether we should have a Selective Service or not. I personally believe we do need a Selective Service, but that is not the subject of the debate tonight. We should defeat the Bradley amendment and follow the orderly rational procedure of authorizing and appropriating, and since there is a great demand by the authors for there to be a firewall, then let us have that firewall and then debate what should happen to Selective Service now that the Berlin Wall has come down.

But we really should not end Selective Service in such an ignominious way at 6:30 at night on the Senate floor, when we are about to put $36 billion into the Veterans' Administration, to pension, to disability, to dealing with the backlog in disability, for veterans' health care, for prosthetic devices. All of those who answered the call for service, yes, we are going to do that for the vets, but we will save money by eliminating Selective Service. I think Selective Service, the men who served and those who will continue to serve, deserve at least the ordinary regular processes of the U.S. Senate.

I urge the defeat of the BRADLEY amendment and move to table it.

The PRESIDING OFFICER. The motion to table is not in order until all time has been used or yielded back.

Ms. MIKULSKI. I yield the remainder of my time.

Mr. BRADLEY. Madam President, I yield the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Ms. MIKULSKI. I move to table the amendment.

Mr. BRADLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion

of the Senator from Maryland to lay on the table the amendment of the Senator from New Jersey. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent. I further announce that, if present and voting, the Senator from West Virginia [Mr. ROCKEFELLER] would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the chamber who desire to vote?

The result was announced—yeas 58, nays 41, as follows:

[Rollcall Vote No. 273 Leg.]

YEAS—58

Akaka	Durenberger	McConnell
Bingaman	Faircloth	Mikulski
Bond	Ford	Murkowski
Breaux	Glenn	Nunn
Brown	Gorton	Pressler
Bryan	Graham	Pryor
Bumpers	Gramm	Riegle
Byrd	Hatch	Roth
Coats	Heflin	Sasser
Cochran	Helms	Shelby
Conrad	Hollings	Simon
Coverdell	Hutchison	Simpson
Craig	Inouye	Smith
D'Amato	Johnston	Specter
Danforth	Kassebaum	Stevens
Daschle	Kempthorne	Thurmond
Dodd	Lott	Wallop
Dole	Lugar	Warner
Domenici	Mack	
Dorgan	McCain	

NAYS—41

Baucus	Grassley	Metzenbaum
Bennett	Gregg	Mitchell
Biden	Harkin	Moseley-Braun
Boren	Hatfield	Moynihan
Boxer	Jeffords	Murray
Bradley	Kennedy	Nickles
Burns	Kerrey	Packwood
Campbell	Kerry	Pell
Chafee	Kohl	Reid
Cohen	Lautenberg	Robb
DeConcini	Leahy	Sarbanes
Exon	Levin	Wellstone
Feingold	Lieberman	Wofford
Feinstein	Mathews	

NOT VOTING—1

Rockefeller

So the motion to lay on the table the amendment (No. 907) was agreed to.

Mr. GRAMM. Mr. President, I move to reconsider the vote.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS-CONSENT REQUEST

Mr. MITCHELL. Madam President, I ask unanimous consent that the following be the only floor amendments remaining in order to H.R. 2491, the VA-HUD appropriations bill; that they be subject to relevant second-degree amendments; and that if they are not offered by 5 p.m. tomorrow, Wednesday, September 22, they no longer be in order. The amendments are:

An amendment by Senator BUMPERS regarding Stafford loans; an amendment by Senator BUMPERS regarding solid rocket motors; an amendment by Senator BRYAN to delete the SETI program; an amendment by Senator SIMPSON that is relevant; an amendment by Senator DANFORTH regarding flood insurance; an amendment by Senator HELMS that is relevant; an amendment by Senator BROWN regarding CDBG's; an amendment by Senator GRAMM of Texas that is relevant; an amendment by Senator MIKULSKI that is relevant; an amendment by Senator D'AMATO regarding GSE oversight; an amendment by Senator STEVENS regarding Alaska clear air; an amendment by Senator SIMON regarding asbestos; an amendment by Senator NICKLES regarding national service; an amendment by Senator MCCONNELL regarding EPA; an amendment by Senator DECONCINI regarding protection of intellectual property; an amendment by Senator WARNER regarding the space station; an amendment by Senator BYRD that is relevant; an amendment by Senator HATFIELD that is relevant; an amendment by Senator METZENBAUM that is relevant; an amendment by Senator METZENBAUM that is relevant; an amendment by Senator RIEGLE and Senator LEVIN that is relevant.

The PRESIDING OFFICER. Is there objection?

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. METZENBAUM. Madam President, I do not intend to object. I would like to make a parliamentary inquiry of the majority leader.

As I understand it, he says that amendments have to be offered by 5 o'clock but, as I understand it, with all those amendments that there are there may not be an opportunity to call up the amendment.

Does the leader mean that as long as the amendment is submitted at the desk and asked to be called up, that that would be sufficient? Or would a Senator be precluded if he or she were not able to have time to offer the amendment?

Mr. MITCHELL. The Senator is correct. The Senator would be precluded if an opportunity does not arise to offer the amendment.

But I would point out to the Senator the problem we have in the Senate is exactly the opposite. We cannot get Senators to come over and offer amendments. That is the problem. We also have Senators who do not want to stay here in the evening, and we cannot get started on the business until the afternoon.

So, there is not any alternative to this procedure, except staying here late this evening and every evening.

Mr. METZENBAUM. I would have to object just on the basis of the procedure, because I can very well imagine what will happen. I came out here the other day to offer an amendment on the Armed Services bill. Were it not for the fact that I was permitted to have unanimous consent to set aside the pending amendment, I would have been precluded from offering that amendment.

I would say to the leader I totally respect the effort that he is attempting to make, but I think that any procedure that would preclude any Member of this body from offering an amendment when he or she is ready to offer the amendment and cannot find an opening in order to offer the amendment, is a very bad way to proceed, and I would have to object on that basis.

Mr. MITCHELL. May I say to the Senator, the Senator has two amendments listed here. Why does not the Senator stay here and offer them now and not have to worry about being precluded?

Mr. METZENBAUM. I say to the leader I am not speaking only with respect to my amendment. I think this is not a good way to proceed, to preclude Members of this body from having an opportunity to offer their amendments. I am concerned if we start down this road—maybe we have been down the road before—I do not believe that any Member of this body ought to be precluded from offering an amendment because he or she cannot get the floor.

I think if there were some procedure where any Member could offer the amendment without debate by 5 o'clock tomorrow and then have an up-or-down vote on it, I think at least that protects the Member's position.

Absent that, I think it becomes a very unreal kind of procedure.

Mr. MITCHELL. Madam President, the concern which the Senator expresses has existed with respect to every unanimous consent agreement obtained for at least the past 14 years that I have been in the Senate when there is a limitation on amendments.

Any Senator not on the list is automatically precluded from offering amendments right now.

I appreciate the Senator's concern for the welfare and ability of Senators other than himself on the list to offer amendments, but they are all very capable of standing up here and expressing themselves if they want to.

My question is, if the Senator has an amendment and he is concerned about offering it, he has the opportunity to stand up here right now and offer the amendment. There is no chance of it being precluded.

(Mrs. MURRAY assumed the chair.)

Mr. METZENBAUM. Madam President, I understand the Senator's point.

One of the reasons I have those amendments reserved is, in the event there is some amendment that is offered and then passed and it may be necessary to revisit the subject, I would have an opportunity to call up that amendment and have a vote on it.

But I believe, Mr. Leader—and I have tremendous respect for your efforts and

what you are attempting to do—but I believe any time you preclude Members of this body from having a chance to vote on their amendment when they are waiting in line to get it called up, I think it is a bad way for the U.S. Senate to proceed and, therefore, I object.

It is not because of the Senator from Ohio's amendments. I just think we are suddenly providing a different kind of procedure.

Maybe you have done it 20 times in the past. But the fact is, I was under the impression all week that you would have an opportunity to get your amendment called up when there was a limited number of amendments. Under these circumstances, I think it just does not make good logic.

Mr. MITCHELL. Madam President, I simply want the RECORD to reflect the fact that every single unanimous consent agreement which identifies amendments automatically, by its very terms, precludes any Senator whose amendment is not on that list from offering an amendment. So the concern which the Senator has has occurred over and over again almost daily.

If we cannot get unanimous-consent agreements, then I say to my colleagues we are going to be in session much, much longer hours and many more days than we are now.

Mr. METZENBAUM. The majority leader misunderstands me.

Mr. MITCHELL. No, I understand you perfectly well.

Mr. METZENBAUM. You are saying that anybody who does not call up his amendment. I am saying that you may not be able to call up your amendment. And if you cannot get the floor to call up your amendment then, by this unanimous-consent agreement, you are precluded from offering that amendment. One amendment could hold the floor for all the time until tomorrow at 5 o'clock and no amendment would be in order.

Mr. MITCHELL. Madam President, I want to say that this is a classic example of debating over a theoretical harm which has not occurred, when we have used this practice in the past, to preclude a practical solution to a real problem.

Now we have done this before and the fear that the Senator expressed has not occurred.

On the other hand, if we cannot get this type of agreement, then we satisfy the theoretical concerns, and the practical reality is that we are going to stay here late tonight, we will be here much later, and a lot of Senators will be inconvenienced, Senators in whose behalf the Senator from Ohio now purports to speak.

Mr. METZENBAUM. The majority leader realizes we have a somewhat similar procedure when we have cloture. Postcloture amendments can be called up afterward without any debate, but at least you can get your amendment considered.

This procedure precludes the consideration of amendments where Members want to call them up.

Mr. MITCHELL. There is nothing to preclude a Senator on this list from coming over and offering an amendment right now. I am inviting Senators to do so.

Mr. METZENBAUM. Not if there is an amendment pending. And if there is an amendment pending, then that Member cannot.

I came to the floor the other day when the Armed Services bill was up, and had Senator EXON not been gracious enough to permit me to offer my amendment, I would not have been able to do so.

Mr. MITCHELL. Madam President, I ask unanimous consent that the Senator from Ohio be recognized to offer any amendment he wishes that is on this list to do so now.

Mr. METZENBAUM. I do not need unanimous consent to be recognized to offer an amendment now. I just said to the leader my amendment is there in the event an amendment is adopted and I wish to amend it subsequently.

Mr. MITCHELL. Madam President, I will just say, it is darn near impossible to get anything done in this Senate with the rules and the attitudes that Senators have about the way we proceed. It is just about darn near impossible.

Senators want to have 3 or 4 hours of morning business in the morning. Senators want to leave at 6 o'clock in the evening. Senators do not want to be in session on Monday. Senators do not want to be in session on Friday. Senators want this, want that, do not want this, do not want that.

If we cannot proceed with unanimous consent agreements that enable us to organize and schedule the business in an orderly way that adapts to the convenience of the overwhelming majority of Senators because of a theoretical concern—that admittedly may occur, but also admittedly in real life has never occurred—then I just say to Senators that there is not any alternative.

The Senator has a perfect right to object. The Senator has noted he is going to object.

Therefore, I will say to the Members of the Senate that we are in tonight, we are in for several hours tonight, we are going to be in and stay in as long as it takes to make good progress on this bill.

We are going to finish this bill by about this appointed hour tomorrow. We can either do it in a way that inconveniences almost every Senator or we could do it in a way that makes it more convenient to the Senate.

Mr. METZENBAUM. May I suggest to the leader that there is a solution—and perhaps the leader would not be willing to consider the solution—and that is that any Member who has an amendment on the list and wishes to call it up at 5 o'clock would have a right to do so without debate.

That protects the right of the Member to get his or her amendment called up. It does not delay the progress of the Senate. It does not require the Senate to be in session tonight. But at least the Member is entitled to have a chance to have his or her amendment voted on.

Mr. MITCHELL. What is the matter with the Senator having to come to the floor now to offer the amendment? Why does anybody have to wait until 5 o'clock tomorrow to offer an amendment?

We spend most of our time here imploring Senators who say they want to offer an amendment to come and offer their amendment. Why does any Senator want to wait until 5 o'clock tomorrow?

Mr. METZENBAUM. I do not know why any Senator might want to do that.

I will say to the Senator, I am not sure I will offer my amendment. The reason I have reserved the place is in the event there is an amendment adopted that I believe needs a subsequent amendment after it has been adopted for clarification or for some modification, that I protect that position.

And I am not the only Member of this body who has done that. There are a number of Members who have unspecified amendments that have a position listed.

I do not know what harm would be done, Mr. Leader, in saying that any Member who had an amendment pending would have an opportunity to offer it.

Mr. MITCHELL. The harm is this. We already have Senators who will not come and offer amendments. Senators say, "I have an amendment to offer. It is very important."

We are on the bill. The manager stands here hour after hour, time after time, begging Senators to come over and offer their amendments.

"Well, it is inconvenient." "I have to go get a haircut" or "I have got to go pick someone up at the airport," or, "My dog has a stomach ache and I cannot come over and offer my amendment."

Now, what the Senator is doing is suggesting a mechanism which creates an even greater incentive to wait until the last minute.

Do not inconvenience the Members of the Senate to come here tonight and offer an amendment when we are considering the bill, when there is ample time to debate it. Wait until the very last moment, and then we guarantee you, no matter how unwilling you are to come over and do anything any other time, no matter how you may say, "Well, I have this amendment, but I do not want to come offer it now, because it is really inconvenience for me.

I will wait until the last minute and it does not make any difference because I am guaranteed, as long as I get there at 1 minute to 5, that I can offer my amendment."

So that way, we are furthering the tendency to encourage Senators to wait and not come over and offer their amendments, wait until the very last minute.

Now, maybe we will have to end up doing what the Senator from Ohio has suggested, because the rules of the Senate are such that we cannot do anything if one person objects. And that gives every Member of this Senate the ability to exercise a veto over anything we do. And probably we will accept that, because we do not have any other choice.

I just say it is tough enough to get anything done here, and this just makes it tougher, for no good reason other than to satisfy some theoretical concern, which, when weighed against the practical realities with which we must deal, I do not ascribe great weight to it.

Mr. METZENBAUM. Will the leader not recognize that the procedure that he is following, or wants to follow, would preclude one or more Senators from having an opportunity to call up their amendment if the situation on the floor is such that that Member cannot get the floor?

Mr. MITCHELL. Yes. I acknowledge that, certainly. And will the Senator not acknowledge that if any Senator wanted to seriously offer an amendment to this bill, he could come over and offer it right now?

Mr. METZENBAUM. Of course. Right now.

Mr. MITCHELL. That is my point.

Several Senators addressed the Chair.

Mr. MITCHELL. Madam President, I withdraw my request. We will proceed with the bill. We will see if we can work this out. In the meantime, Senators are on notice we are in session tonight. There will be votes unless and until some further statement is made.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 908

(Purpose: To require the approval of Congress of the expenditure of certain space station funds.)

Mr. WARNER. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Does the Senator intend to amend the first committee amendment?

Mr. WARNER. Madam President, I ask unanimous consent the pending amendment be set aside and we proceed to the amendment of the Senator from Virginia.

The PRESIDING OFFICER. Without objection the committee amendments are set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 908.

On page 60, line 9, after "1994" insert the following: ", and any funds above such $1,000,000,000 may only be obligated with the approval of Congress.

Mr. WARNER. Madam President, I send to the desk an amendment in the nature of a second degree.

The PRESIDING OFFICER. The Senator does not have a right to offer an amendment to his amendment at this time.

Mr. WARNER. Madam President, I ask for the yeas and nays on the first amendment.

Mr. GRAMM. On your amendment you ask for the yeas and nays?

Mr. WARNER. The amendment that is at the desk. I ask for the yeas and nays.

Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. WARNER. I thank the Chair. I thank the managers.

Madam President, I spoke to this amendment earlier. I do not wish to prolong unduly the debate which has been a very good one—I said that earlier—on the space station. My concern is that the committee report on Calendar No. 194, page 145, reads as follows:

Bill language has been included to allocate these funds accordingly. In addition, the committee has included language that limits NASA from obligating more than $1 billion prior to January 31, 1994, for the space station program. This will enable the committee to assess the final design configuration of the station before agreeing to release the remaining funds appropriated in fiscal year 1994.

Madam President, this amendment is a very simple one. It states that rather than the committee making this assessment at some point in time prior to January 31, 1994, that the Senate as a whole, that the House as a whole, that the Congress as a body shall determine whether or not future authorized dollars by the previous amendment should be appropriated to this program. That is all.

I say to my distinguished colleague from Texas, who possibly has in mind a second-degree amendment, I shall repeatedly bring forth one amendment after another until I get an up-or-down vote on this question, because in the judgment of this Senator, I think this program should be reviewed very intensely by the Senate. It will be my hope we continue oversight on a continuous basis because here in the course of the debate on the space station we have learned facts that I find astonishing, that I find unacceptable, in terms of timely action by this body.

We do not have, in my judgment, before us at this time such firm cost estimates for the completion of this program to justify action by this body. Nevertheless, the body did take action.

It is interesting, if you look at a breakout of the votes here, there are 36 Republicans who voted for the program and 23 Democrats. That is a heavy responsibility. This program now has a very close identity with the Republican Party. This party deliberately delivered the margin of vote to assure the program go forward as directed by the committee. I say that with no disrespect to anyone. A fair battle was fought on the amendment. It is over. It is behind us. But I think it is incumbent upon us to engage this body in such further deliberation as necessary to have one single dollar in addition to the $1 billion, and that roughly is $900 million, almost another $1 billion—before $1 of that sum is released. I think it merits the deliberation of this body, its careful attention, and I would anticipate another record vote.

In that way we have fulfilled our responsibility, our continuing responsibility, toward this program and toward the heavy burden we are casting on the taxpayers to continue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Madam President, I am not sure I understand.

Is this a procedure where we would have to have another affirmative vote in the Senate before any of that money could be spent even though the report was made back?

Let me just give an example. On the Armed Services Committee we fence things and put hurdles in, objectives to be met all the time. We have done that. We did it on B-2. We have done it on several different programs. But the idea on that was not to bring it back for a second vote in the Senate. The idea every time there was to make sure the administration was reporting everything to the committee because we had been misled a few times, reporting everything to the committee and have to report it.

Then, at that point, Members who were either for or opposed to whatever the issue is have a full right to come to the floor, put in legislation, try to alter that. But I would say to my friend from Virginia, if we are to start on appropriations bills and say because we do not like a certain procedure and because we happen to lose a vote on the floor we are then going to come back and require a second vote before anything is released, that is just legislative WPA in the Senate.

The Senate has expressed its vote. It was 59 to 40. Accept it. Why would we have to bring it back again and have another vote on it? I am all for having the report made back here and then if there is objection to the way things are

going or it does not come out the way we hoped, we always can bring it back and legislation can be submitted to undo what is being done. But I think we are treading down a path here of just making a lot of excess work for ourselves if every time we have some objection to a thing that passes here on the floor on an appropriations bill, we require a second vote on it. So I would have to oppose it, regretfully.

Mr. WARNER. I respect my good friend from Ohio. He served with me for many years on the committee. But I ask him to review the language. Where did he see here the word "report"? Where is the fencing report we carefully put in the Armed Services Committee? Will my colleague kindly read the language? Or I will read it for him.

Mr. GLENN. If the Senator will yield for a comment, I have not actually read the language. Maybe it does not require a report. But, certainly, I can guarantee the Senator from Virginia, the Senator from Arkansas, and others are going to be following the progress of the planning for the spending of that money very, very carefully, as they should. Then if there is objection——

Mr. WARNER. I do not know how I follow it, to be honest. There is no obligation for them to report that I see here. There is a report inferred, I might say in all fairness. The sentence simply says "This will enable the committee to assess the final design configuration."

That implies some further evidence will be coming before the committee. But I draw to my colleague's attention, January 31, 1994—the Senate meets for a very few days in January and, hopefully, for a very few days in December. It could be the outcome of this is decided by one or two Senators on behalf of the entire body involving $900 million.

I say to my good friend, I am not prepared to yield that discretion, primarily because of the inadequacy of the facts that were presented to this body in support of the amendment that was just acted on.

Ms. MIKULSKI. Will the distinguished Senator from Virginia yield?

If the distinguished Senator will yield the floor to me, recognizing his right to reclaim the floor?

AMENDMENT NO. 909 TO AMENDMENT NO. 908

(Purpose: To require the approval of Congress of the expenditure of certain space station funds)

Mr. WARNER. Madam President, I will be happy to yield, but before doing so, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes an amendment numbered 909 to amendment No. 908.

Strike all after the first clause and add: "any funds above such $1,000,000,100 may only be obligated with the approval of Congress.".

Mr. WARNER. Madam President, I thank the Chair and I thank the distinguished managers.

I yield the floor.

Ms. MIKULSKI. Madam President, I recognize what the Senator from Virginia is trying to achieve. He wants to ensure fiscal accountability and that the redesign of the space station, an American-led space station with Russian participation, is adequate to the three criteria that the ranking minority member and I have articulated: That it do significant science; that it be fiscally achievable; and that it meet the needs and the criteria of our international participating partners. That is not unreasonable.

What I do not want, Madam President, is to bind the hands of this committee, subject to another vote on the space station, without going through the regular appropriations process. However, what I am prepared to do is, we anticipate that this report will be done by Thanksgiving; and I will assure the Senator that we will not unfence until we have had a hearing exactly on the nature, the content, and the fiscal aspects of this new design. Then, at that time, we can decide if it is so significantly different from what we think we have agreed to tonight, that we might have to return to the body.

I would not want to bind us to a vote, but I am prepared to agree to a hearing because I think that the questions the Senator from Virginia has would be the same questions I would have in order to be able to listen to what the design is. But I really encourage the Senator from Virginia to not have us come back to do a second vote when the normal appropriations process is done except on one item.

I am ready to agree to a hearing. Would that satisfy the Senator from Virginia?

Mr. WARNER. Madam President, I thank the manager, the distinguished Senator from Maryland.

I regret to say that I would not find that an acceptable substitute for the goals of the Senator from Virginia, as manifested by the amendment at the desk. I say that with great respect.

Ms. MIKULSKI. I understand that.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Madam President, one of the things that we do to try to see that the will of the Congress and the intent of the law is carried out is to set up a fencing mechanism so that those who are implementing the law have to come back to those of us who write the law and show that, in fact, they have carried out the intent of Congress.

What the distinguished Senator from Virginia has done is sought to magnify a fence that we were trying to use to achieve the purposes that he is supportive of, and now he would like us to have to come back to Congress and bring a bill to the floor of the Senate, which could be filibustered. We could technically have to get a supermajority in order to move ahead with a project that 59 Members of the Senate have just voted in favor of.

Also, this amendment, if adopted, would set what I believe is a very bad precedent because it would either force committees to stop fencing money—and therefore we would lose our ability to have effective oversight—or we would have to subject ourselves to the potential of having multiple votes on basically the same issue.

So I think, again, this is a case—and I made the point when we had the previous debate, and I do not intend to repeat all those speeches tonight—but this is a case where the distinguished chairman and I have tried to exercise oversight; we have tried to hold NASA accountable. The mechanisms we have used, which are conventional mechanisms, in fact, are used routinely by the Armed Services Committee, on which the distinguished Senator from Virginia served as the senior Republican. What we are trying to do here is simply to exercise oversight. I am afraid if we accepted this amendment, we would be forced to come back and vote on the whole issue again.

I think the Senate has spoken on this subject. I have no doubt that they will speak again with a very clear voice, perhaps with a larger margin, because now we are talking about really attacking the mechanism which the Congress has used to do its work. And so I do not see that we are going to serve any purpose at 7:30 tonight by debating the whole space station again.

The distinguished Senator from Virginia very ably, with great passion and skill, made his case. We had a vote on it. His position did not carry. He is certainly within his right to offer this amendment, but I think that this amendment disrupts what we are trying to do. I think that it discourages the kind of oversight that we all agreed that this project needs.

Therefore, I am opposed to this amendment, and I hope that it will be rejected.

I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, if I may make a brief reply to my colleague from Texas. During the course of this debate on the amendment, which has now encompassed 2 days, we have had a most astonishing development in the world. The Senator from Arkansas read from the initial reports regarding some developments in Russia which I find are germane to the consideration of this amendment.

I am not going to go back into it, but essentially:

Boris Yeltsin, the President, moved to take complete control of Russia—

Complete control of Russia. That is control of this program. That is control of this program; one man——

in a constitutional coup on Tuesday, ousting the hardline Congress and announcing elections for a new Parliament in December.

One of the more dramatic chapters of this debate is one when we were advised in S-407 that there would be a briefing— regrettably, only five or six Senators showed up, of which I was one, because I felt duty bound—a briefing about how the space program was an integral part of an overall approach by this administration. I commend the President for this overall approach, and I am going to support him. It is an approach whereby we would involve Russia in this program. The sum of $100 million was mentioned.

Madam President, that is just in the brief period of less than 48 hours when the Senate has been dealing with this amendment. I ask my colleagues, I do not know what this report portends for the future of Russian participation in the space station. But I guarantee, Madam President, this Senator wants to know before another dollar is released under the proposed fence. That is why I ask this body to reconvene.

Is it too much to ask this body to spend an hour or two in debate on $900 million? Is that asking too much? This fence delegates to perhaps one or two Senators the responsibility for close to a billion dollars. I say this to my good friend from Texas. He might well be the Senator on this side to make that decision, and he has fought hard for this amendment. He won. He delivered 34 Republican votes. That is a mark of pride.

But I am reminded of my old history professor, I say to my good friend, the senior Senator from Texas. The year was 1946. I came back after a brief tour in the U.S. Navy, matriculated in my father's old school, Washington and Lee University.

The history professor was named Bean, Dr. Bean. He was in his seventies, and he was recognized not only in Virginia, but throughout the Nation, as the foremost expert on that tragic chapter of history from roughly 1860 to 1865. He had a book on his desk, and all students as they walked in, were required to touch the book and then take their seats. I say to my distinguished colleague from Alabama, my contemporary in life, every student touched that book. The title of that book, a book written by one of Robert E. Lee's aides-de-camp, a man who had traveled with Lee through the various campaigns and had taken an opportunity after that tragic chapter to sit down and write a book, I say to my distinguished friend from Texas, was "The Unbiased History of the Civil War, From the Southern Point of View."

Somehow, I feel the senior Senator from Texas might not apply the objectivity, the depth of analysis, and reasoning that might be required to obligate this body, the U.S. Senate, to $900 million.

I yield the floor.

Ms. MIKULSKI. Madam President, I think there has been said all there is to say on this amendment. I believe we are at an impasse on this, and in a few seconds I will be making a motion which I hope will bring this debate to a close and we can begin to start the debate on ASRM.

I know that when we initially talked about the amendment of the Senator from Virginia it was going to take 15 minutes. It has now taken longer than we anticipated. I believe, whatever the arguments, we would only be repeating ourselves. I truly respect the Senator from Virginia and what he is attempting to do. But, Madam President, I now must move to table Senator WARNER's amendment No. 908, and I ask unanimous consent that the vote on the motion to table occur at 8 p.m.; further, that the amendment be laid aside so that Senator BUMPERS may now offer the ASRM amendment.

The PRESIDING OFFICER. Is there objection?

Mr. HEFLIN. I would just like to ask unanimous consent. It will take 15 seconds.

Ms. MIKULSKI. Could we get this agreement first?

The PRESIDING OFFICER. Is there objection to the agreement?

Mr. BUMPERS. Reserving the right to object, would the distinguished Senator restate the request?

Ms. MIKULSKI. I move to table the Warner amendment No. 908 and ask unanimous consent that the vote on the motion to table occur at 8 p.m.; further, that the amendment be laid aside so that Senator BUMPERS may now offer his ASRM amendment and that we may proceed on the discussion on ASRM.

Mr. WARNER. Madam President, reserving the right to object, I wonder if the distinguished managers of the bill might consider not only laying aside the vote but having the vote occur at some time which would be most convenient to the majority of Senators. It may well be that the distinguished Senator from Arkansas will require a vote later this evening and that the votes could be put back to back. I speak only to accommodate the Senate.

Ms. MIKULSKI. I insist upon my original unanimous consent request.

The PRESIDING OFFICER. Is there an objection? Without objection, it is so ordered.

The Senator from Arkansas is recognized.

Mr. HEFLIN. I wonder if I might make a 10-second unanimous consent request.

Mr. BUMPERS. Certainly.

Mr. HEFLIN. Mr. President, I ask unanimous consent that a legislative fellow serving in my office, Deborah Bailey, be granted privileges of the floor during the consideration of the VA-HUD-Independent Agencies appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 910

(Purpose: To provide funding for the termination of the Advanced Solid Rocket Motor project for the purposes of reducing the deficit in the Federal budget)

Mr. BUMPERS. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS], for himself and Mr. BENNETT, proposes an amendment numbered 910.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 62, after line 2, add the following: *Provided*, That of the funds provided under this heading, $100,000,000 shall be made available for termination of the contracts relating to the Advanced Solid Rocket Motor project.".

Mr. BUMPERS. Madam President, this is an amendment that deals with a program that is not familiar to several Senators. I understand that when you do not understand an amendment you just vote "no." So I want to say to the distinguished Senator from Maryland, I do not want to belabor the length of time that is going to be required to educate people, but I do think a few things ought to be said.

The first thing that ought to be said is you have an opportunity here to save $2 billion, and you do not risk one single thing. In 1989 there was a program established to build what is called an advanced solid rocket motor at Yellow Creek, MI.

Now, you all know, of course, that JAMIE WHITTEN is chairman of the Appropriations Committee, a good man, and, believe it or not, JAMIE WHITTEN's district was chosen as a place to build this advanced solid rocket motor.

You should also know that President Bush was very much opposed to it. Vice President Quayle, who had been delegated quite a bit of the space function, was opposed to it. But it was something of a big piece of pork, and so we began building a facility to produce an engine for our shuttles. This was in the wake of the *Challenger* disaster, which I think was in 1986. Everybody remembers the trauma of the *Challenger*.

Now, Madam President, this is a low-scale kind of space station thing, I guess. We have already spent $1.5 billion. It started out at a little over $2 billion. The cost is now $3.8 billion. We

are going to have to spend $2.3 billion more to complete the project. And, incidentally, my amendment leaves $100 million to terminate it.

We all believe in safety. We want our shuttles to be safe. We want our astronauts to be safe. Madam President, if you look through the documentation on this, you will find that everybody has been opposed to the advanced solid rocket motor project but it is kind of like Rasputin; it just keeps surviving.

Last year, the House of Representatives overwhelmingly killed this program. I want to repeat that. Last year the House of Representatives voted by a very substantial margin to terminate this project, but not the Senate. And the Senate only had $50 million in it. It was called "hold" money to keep the project on hold; $50 million.

So we take our little $50 million over to conference with the House, which has overwhelmingly torpedoed the program, and guess what? It comes back with $360 million in it.

That is a piece of legerdemain that I have never understood. When I came to the Senate, I was taught that the conference committee could not exceed the highest number and could not go below the lowest number. Here we put $50 million in, the House zips it, and we come back with $300-plus million. The Yellow Creek just keeps grinding away.

You understand they have not produced the first motor, and they are a long way from producing the first motor.

Lo and behold, this year the House was so upset about what happened last year—and I want everybody to hear this—the House killed this program about 3 weeks ago by a vote of 378 to 43. Let me repeat that. The House of Representatives has already voted to terminate this program despite the fact that JAMIE WHITTEN is still a Member of the House of Representatives. They voted to kill the program 379 to 43.

To the distinguished chairman's credit, she has a little over $100 million in this bill for it. And the reason I am trying to torpedo this program is because we are going to wind up going back to conference with the House. And it is going to come back over here with $300 or $400 million on it.

It is a flagrant violation of the rules of the Senate to come back here with more money by far than either body had voted for.

The idea was we would never have another *Challenger* disaster. But, Madam President, we have not had one since then anyway. Did you know that until ALBERT GORE became Vice President of the United States, everybody wanted this program terminated. Here is an opportunity for a few people to redeem themselves if they choose to, and say I voted to cut something.

But if you look at the GAO report, if you look at almost any study that has been done on this thing, everybody says I do not understand why we are building this thing.

Madam President, today the proponents of this thing, Senator COCHRAN, Senator HEFLIN, are going to show you a letter from Daniel Goldin, who is head of NASA. He does not want it either. But his letter says he does. I assume he does not. NASA never has wanted it. This is the same guy that could not tell you what the space station is going to cost. But he sent a letter over here saying, yes, we sure would like to have it.

You are going to hear arguments that the extra thrust that ASRM will provide the shuttle is going to be necessary for our space station. According to NASA, the latest version of the space station is being redesigned so that all its components can be placed into a 51.6 degree orbit. That is the so-called "international orbit", using a new aluminum lithium tank. And the new tanks will greatly reduce the weight of the launch vehicle and allow the solid rocket motors to lift the shuttle into the higher orbit.

The administration is also seriously considering using Russia's large proton rockets instead of the space shuttle to lift the largest components into orbit. After debate today, and after what is happening in the Soviet Union, in Russia, I do not think that is going to happen.

But Madam President, why do we want to build in that kind of redundancy when everybody agrees that the redesigned rocket will do everything we want it to do, with absolutely no additional cost except some tinkering with the redesign?

Let me tell you one other thing. The environmentalists of this country are on their ear because of advanced solid rocket motor tests. Every test will generate 100 tons of hydrochloric acid. And that is a very serious environmental risk. It may not make any difference to you. But that is one of the reasons the Audubon Society and the National Wildlife Federation, the Sierra Club, the Natural Resources Defense Council, every environmental group in the country is opposed to this motor.

But the real truth is in this GAO report dated November 1992, about 10 months ago. If you really want to know what this is all about, listen carefully to what the GAO says:

> While the new design features and automated manufacturing processes hold the potential for a more reliable and safer motor, ASRM's design is as yet unproven and its reliability will not be known for a long time.
>
> As a result two NASA advisory groups have recommended that the agency reconsider its designs to develop this advanced motor and, according to these groups, the advanced motor's high technical and programmatic risks, together with the redesigned motor's proven performance, make development—

Listen to this—

> make the development of the advanced motor unnecessary.

Why, in view of the GAO report which quotes two advisory groups of NASA saying we do not need this motor, why would we spend over $3 billion on that?

Listen to this:

> Both the National Research Council and the Aerospace Safety Advisory Panel have questioned whether ASRM will be safer and more reliable than the redesigned solid rocket motor, and have recommended that the program be reconsidered. According to the research council, NASA should rely on the redesigned solid rocket motor since it has proven to be reliable.

The research council also stated that:

> It believes the ASRM program contains high technical and programmatic risks.

For example, in a 1991 report, the research council questioned the design of ASRM field joint and welded factory joint. It goes on:

> In 1989 the Aerospace Safety Advisory Panel also questioned the need for the new motor since many other elements of the shuttle system could be replaced or modified to contribute more to improving safety.

I am going to close with this. I am not going to debate this all night. I did not get any more votes by debating 24 hours on the space station than I would have gotten if I had not. But I just want to close with this one statement from the GAO and the GAO is quoting basically two NASA panels.

Here is what they say:

> When ASRM was first approved NASA had no actual flight experience—

With this redesigned motor.

> Through October 1992 the redesigned solid rocket motor has successfully flown 26 missions.
>
> Since the January, 1986 *Challenger* accident, NASA has enhanced its safety organization and increased the number of quality assurance inspections. Following each launch, the solid rocket motors are disassembled and inspected and, to date, these inspections have identified no major problems, according to NASA.

Madam President, please let the record show that I offer this amendment on behalf of myself and the distinguished Senator from Utah [Mr. BENNETT].

I yield the floor.

Mr. COCHRAN. Madam President, the distinguished Senator from Arkansas is my good friend, and I regret his offering this amendment which requires us to challenge some of the statements that have been made about the savings that could be realized if this Advanced Solid Rocket Motor Program is canceled, and all funds to be appropriated for it are deleted in this bill. But I am convinced, based on my understanding of the facts, that the claim that $2 billion would be saved if this appropriation is deleted and stricken from this bill is just simply not supported by the facts. Senators will remember that this program was

created as a result of the *Challenger* disaster, the explosion of the shuttle in which seven astronauts were killed back in 1986.

A concerted effort was begun to figure out why that accident happened and what could be done to prevent a catastrophic failure from happening again. If we are to have a manned space program, we need a safe space program; we need a safer space shuttle; we need a more reliable system. And so engineers and scientists and all of NASA were mobilized and put to the task of coming up with a better rocket motor, a safer, more reliable motor. ASRM was born of that effort.

The Senator's opening remarks about how this is a program that was established in the home district of the chairman of the House Appropriations Committee omits the fact that the site where this program was finally located and constructed had been chosen as the site for the building of a nuclear power reactor and plant for the Tennessee Valley Authority, but because of a restudy of the power generation needs of the TVA; that project, although it was already under construction, was abandoned. Here was the Federal Government with condemned property, a partially constructed facility, up in the northeast corner of the State of Mississippi, very close to the Alabama and Tennessee lines on the Tennessee River in the Tennessee Valley power supply area, and no use for it. The Federal Government had a white elephant on its hands. Hundreds of people in that region had been thrown out of work. It was controversial to start with when TVA decided to build that reactor in the first place. But the Government had made its decision.

Then NASA decided, with advice from a Presidential Commission, to take advantage of this vacant and available site to construct this newly designed rocket motor. It had been put out for competitive bids by contractors from around the country, the best that America had available, and it was decided to locate it at Yellow Creek, MS, because it was financially beneficial for the Government to locate it there. So TVA transferred that property to NASA, and NASA began the construction of this facility. And now it is almost completed.

We are nearing the end of the construction phase, with new motors available for use by NASA to make the shuttle program safer and more reliable. This new motor will reduce the chances for failure from potential gas leaks; it will reduce the ways in which the system could fail; it will make it a much safer and more efficient system.

If this program is canceled at this time, it will actually cost the Government more money than it will save.

The Senator quotes from a GAO report that had some critical things to say. I notice that only one group was questioned and quoted in that report by the Senator. NASA's side of the story was not quoted by the Senator. NASA disputed those claims by the person who was quoted in that report and said that the ASRM Program is necessary and that it will be beneficial.

The President put $313 million in his budget for this next fiscal year for ASRM and asked that the program be continued, that it be completed. There is evidence that we put in the RECORD in the Appropriations Committee that very clearly shows that Daniel Goldin, the Administrator of NASA, supports this program.

I will read a portion of the letter, Madam President:

> NASA has examined alternative ways of obtaining the increased performance necessary, and we believe the ASRM—either by itself or in concert with other improvements—is the most obvious solution. The ASRM is an important consideration as we assess a space station at higher and lower inclinations.
>
> NASA and the administration continue to support the fiscal year 1994 budget request of $313 million for the ASRM program.

Our committee has looked very hard at this issue. The subcommittee reported out a bill that calls for an appropriation of $162.6 million for this program in fiscal year 1994, and it suggests to NASA that offsets be identified so that the full $313 million can be made available next year. NASA, as I understand it, is undertaking that review.

If we are going to continue to have a manned space flight program, which I think is the appropriate national policy, then we need a safe and reliable system. This is the new, safer system that we have developed. And now to urge that it be abandoned, canceled here at the 11th hour, is absurd.

It is fiscal nonsense to have invested all of this money, constructed this facility, brought in engineers and scientists and workers from all over the country to this location, where a tri-State area of infrastructure has been established to support this program, where education dollars have been spent, schools have been built, and now abandon and cancel this program. You cannot believe the amount of effort, energy, and commitment of resources that has occurred in these three States to accommodate this facility, to support it and make it successful.

The people in this area are proud to have devoted the energy and resources and commitment they have to this project. But to have the U.S. Congress, after all of this effort and all of this hard work, stiff-arm the people who have committed themselves to this goal, to develop a safer and more reliable shuttle motor, that will help us lift larger payloads to accommodate the construction of the space station, as a side benefit, and to do it all for less expense, to do it more efficiently than we would have been able to do so before, seems to me the height of bad judgment for the Congress to now decide that we have changed our minds, and all because somebody said this was not a good idea after all. Well, it is the best idea we have been able to come up with, and the Senate should support it.

Madam President, I ask unanimous consent that a copy of the letter that I referred to from Daniel Goldin, Administrator of NASA, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Washington, DC, September 8, 1993.

Hon. THAD COCHRAN,
U.S. Senate, Washington, DC.

DEAR SENATOR COCHRAN: Thank you for your letter of August 31, 1993, regarding the desirability of the Advanced Solid Rocket Motor (ASRM) program.

As you correctly observe, additional performance will be extremely useful if the Space Shuttle is to deploy Space Station elements to higher inclinations, as was recommended by the President's Advisory Committee on the Redesign of the Space Station. NASA has examined alternative ways of obtaining the increased performance necessary, and we believe the ASRM—either by itself or in concert with other improvements—is the most obvious solution. The ASRM is an important consideration as we assess a Space Station at higher and lower inclinations.

NASA and the Administration continue to support the fiscal year 1994 budget request of $313 million for the ASRM program.

We appreciate your work in support of this program and stand ready to assist in any way possible.

Sincerely,

DANIEL S. GOLDIN,
Administrator.

Mr. COCHRAN. Madam President, I urge the Senate to reject this amendment.

VOTE ON AMENDMENT NO. 908

The PRESIDING OFFICER. The hour of 8 p.m. having arrived, under the previous order, the question now occurs on the motion of the Senator from Maryland to lay on the table amendment No. 908 offered by the Senator from Virginia. A rollcall vote has not been requested.

The majority leader.

Mr. MITCHELL. Madam President, I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland to lay on the table the amendment of the Senator from Virginia.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Louisiana [Mr. JOHNSTON], the Senator from Arkansas [Mr. PRYOR], and the Senator from Maryland [Mr. SARBANES] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Missouri [Mr. BOND], the Senator from North Carolina [Mr. HELMS], and the Senator from Idaho [Mr. KEMPTHORNE] are necessarily absent.

The PRESIDING OFFICER (Mrs. BOXER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 39, as follows:

[Rollcall Vote No. 274 Leg.]

YEAS—55

Akaka	Gorton	Murkowski
Bennett	Graham	Murray
Biden	Gramm	Nickles
Bingaman	Gregg	Packwood
Boxer	Hatch	Pressler
Breaux	Hatfield	Reid
Brown	Heflin	Riegle
Burns	Hutchison	Robb
Campbell	Inouye	Rockefeller
Cochran	Kennedy	Roth
Coverdell	Leahy	Shelby
Craig	Lott	Simpson
Danforth	Lugar	Smith
Daschle	Mack	Stevens
Dodd	McCain	Thurmond
Domenici	McConnell	Wallop
Faircloth	Mikulski	Wofford
Feinstein	Moseley-Braun	
Glenn	Moynihan	

NAYS—39

Baucus	Dorgan	Lautenberg
Boren	Durenberger	Levin
Bradley	Exon	Lieberman
Bryan	Feingold	Mathews
Bumpers	Ford	Metzenbaum
Byrd	Grassley	Mitchell
Chafee	Harkin	Nunn
Coats	Hollings	Pell
Cohen	Jeffords	Sasser
Conrad	Kassebaum	Simon
D'Amato	Kerrey	Specter
DeConcini	Kerry	Warner
Dole	Kohl	Wellstone

NOT VOTING—6

Bond	Johnston	Pryor
Helms	Kempthorne	Sarbanes

So the motion to lay on the table the amendment (No. 908) was agreed to.

Ms. MIKULSKI. Mr. President, I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 910

Mr. HATCH. Madam President, am I correct the amendment of my friend from Arkansas is currently before the Senate?

The PRESIDING OFFICER. The question recurs on the Bumpers amendment No. 910; the Senator is correct.

Mr. HATCH. I would like to speak on that.

The PRESIDING OFFICER. The Senator is recognized.

Mr. FORD. Madam President, the Senate is not in order.

The PRESIDING OFFICER. The majority whip is correct; the Senate is not in order.

Mr. HATCH. I would like to yield to the distinguished Senator from Maine without losing my right to the floor.

The PRESIDING OFFICER. The distinguished majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Madam President, I ask unanimous consent that when the Senate resumes consideration of H.R. 2419, the VA-HUD appropriations bill, at 9:15 a.m., on Wednesday, September 22, that Senator BRYAN be recognized to offer an amendment on the SETI Program; that there be a time limitation of 1 hour for debate on the amendment with no second-degree amendment in order thereto, with the time actually divided and controlled in the usual form; that when the time is used or yielded back, the Bryan amendment be temporarily laid aside and that the Senate then resume consideration of the Bumpers amendment No. 910; that there be 20 minutes remaining for debate on the Bumpers amendment No. 910, with the time equally divided and controlled in the usual form; that at noon tomorrow the Senate, without intervening action or debate, vote on or in relation to the Bumpers amendment No. 910; and that upon disposition of the Bumpers amendment, without intervening action or debate, the Senate proceed to vote on or in relation to the Bryan amendment.

The PRESIDING OFFICER. Is there objection?

Mr. HEFLIN. Just reserving the right to object, if you come in at 9:15—I am just looking at the time schedule. With the Bryan amendment it would appear 20 minutes, we could vote before 12. Is there some reason why we would delay the vote until 12?

Mr. MITCHELL. Yes, because I am trying to accommodate several Senators. What my intention is, is that this debate would take us to 10:35. We are now waiting to hear from our colleagues on whether or not a third amendment would be offered and debated in that time period, and then there will be three votes to occur at that time.

MR. HEFLIN. I have no objection.

Mr. BUMPERS. Madam President, reserving the right to object, may I ask one clarification from the majority leader?

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. This is 20 minutes of additional debate on my amendment in the morning, but we will continue on the debate tonight?

Mr. MITCHELL. That is my intention.

Mr. BUMPERS. Anybody who wishes to speak on this amendment tonight may do so?

Mr. MITCHELL. There will be unlimited debate this evening.

The PRESIDING OFFICER. The majority leader.

Mr. MITCHELL. Madam President, I modify my request to also preclude amendments to the language that may be stricken, by the amendments to which I referred.

The PRESIDING OFFICER. Is there objection?

Mr. LAUTENBERG. Reserving the right to object, Madam President, I ask the majority leader a question. Is there going to be a period for morning business tomorrow?

Mr. MITCHELL. No, there will not.

Mr. LAUTENBERG. No?

Mr. MITCHELL. No.

Mr. LAUTENBERG. That is throughout the day?

Mr. MITCHELL. Well, no, I do not rule out the possibility if Senators would like to speak. If we can organize a period for morning business later in the day, if it is convenient for Senators, I will be pleased to do that.

How long would the Senator like?

Mr. LAUTENBERG. Ten minutes.

Mr. MITCHELL. Then I have no objection if the Senator would be prepared to be here at 9:10?

Mr. LAUTENBERG. Absolutely.

Mr. MITCHELL. This does not preclude that. This just says "when the Senate returns to consideration of the bill at 9:15." I will be prepared to have morning business for 10 minutes at 9:05.

Mr. LAUTENBERG. I appreciate it.

Mr. MITCHELL. That would be in a separate order.

Mr. LAUTENBERG. I thank the majority leader. I have no objection.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MITCHELL. Madam President, I should modify my request to make clear that there would be no second-degree amendment in order to either of the amendments listed, both the Bryan and the Bumpers amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MITCHELL. Madam President, let me just make clear, then, the status we are in. The Bumpers amendment No. 910 is the pending amendment. Debate will continue on that amendment this evening.

At 9:15 tomorrow morning the Senate will return to this bill. Senator BRYAN will be recognized to offer his amendment. There will be 1 hour of debate on that equally divided. Then that will be laid aside and there will be 20 minutes more of debate on the Bumpers amendment. Following that it is my hope that between now and tomorrow morning we can get agreement from one of our colleagues who has an amendment that will be offered; that would take us to approximately 10:35, debate that until noon, and then the votes would occur, as currently scheduled, on the Bumpers amendment, then the Bryan amendment, and on a third amendment if agreement can be reached on that.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Again, let me ask the majority leader, I understood originally we would go back to the Bumpers amendment at 11:40, following the Bryan amendment.

Mr. MITCHELL. If we start on the Bryan amendment at 9:15 and debate for 1 hour, we would be back on the Bumpers amendment at 10:15 for 20 minutes, from 10:15 until 10:35.

Mr. BUMPERS. Madam President, I hate to be the skunk at the lawn party. We are supposed to mark up the California desert bill in the morning, which is my bill—it is really Senator FEINSTEIN and Senator BOXER's bill—at 10 o'clock.

Is there any way to move? Can you put another amendment in there and postpone my additional 20 minutes for, say, an hour?

Mr. MITCHELL. Madam President, I ask unanimous consent the previous agreement be modified so that the 20 minutes remaining for debate on the Bumpers amendment tomorrow occur between 11:40 a.m. and noon rather than immediately following the debate on the Bryan amendment as previously requested.

Mr. BUMPERS. I thank the majority leader for that.

The PRESIDING OFFICER. Is there objection? Without objection it is so ordered.

Ms. MIKULSKI. Will the majority leader yield? As I understand it, then, this evening there would only be debate on the ASRM and that no amendments could be offered tonight on the bill?

Mr. MITCHELL. Madam President, it is my understanding that the Bumpers amendment is pending, therefore it would take unanimous consent to set that aside for any other amendment to be offered.

I inquire of the Chair whether my understanding in that respect is correct?

The PRESIDING OFFICER. The Senator is correct; a unanimous consent request would be in order to set aside the Bumpers amendment.

Mr. MITCHELL. So I think it is the clear intention of all that what occurred this evening is merely more debate on the Bumpers amendment. Obviously, once a Senator gets the floor, a Senator can speak on any subject he or she wishes. I do not think it is any intention that any amendments be offered.

What we do hope is that the gap between the Bryan amendment, debate on which will conclude at 10:15 a.m., and the resumption of debate on the Bumpers amendment, which will occur at 11:40 a.m., will be filled by another amendment to be offered, with a vote on that scheduled to occur following the now-scheduled votes on Bumpers and Bryan, which will begin at noon.

So I request of the managers that they make their usual diligent effort to try to line up such an amendment—at least one—so that time will not be wasted.

Mr. LEAHY. Madam President, if the Senator from Utah and the Senator from Maine will allow me just to interject for about a minute here, if I can have my colleagues' attention. The distinguished Senator from Maryland has been doing a great job in moving this bill forward. Having brought appropriations bills to this floor, I empathize with her in trying to get a finite list of amendments and get the bill completed.

I can tell my colleagues, there is another reason for doing this. The foreign operations bill is directly behind us. We are all aware of what happened in Russia today. I met with the President of the United States this evening and talked about the foreign aid bill, about conversations he had with President Yeltsin and others. I think it is absolutely essential to think of our own national security, to go forward with our foreign operations appropriations as quickly as we can. It does not mean the President is going to send money immediately to Russia or anywhere else in the NIS, Newly Independent States, without knowing what the situation is going to be. But as the leader of the free world and as the one superpower in the world, the President has to have that ability to be able to act.

There is another reason for moving very quickly. We have to pass this bill. It already has about a hundred differences with the House bill. We then have to go to conference—keeping in mind the fact that we are going to break for the religious holiday on Friday—get it conferenced, get the conference report adopted by the House, get it adopted by the Senate and signed into law by midnight September 30, or about two-thirds of the Russian aid, or Newly Independent States aid for all of it—Russia, Ukraine, everywhere else—two-thirds of that is lost.

The flexibility that the President also needs in dealing with the peace process between the Israelis and PLO, that the Israelis want him to have, obviously the Palestinians want him to have, obviously the American people want him to have, that is in limbo at a time when the President wants to move forward. Both the Palestinians and the Israelis are turning to the one country that can bring that kind of leadership saying bring us together on this very difficult road to peace following one of the most historic events we witnessed a week ago with the signing of the peace agreement on the South lawn of the White House.

So what I am saying is, please help the distinguished Senator from Maryland and the distinguished Senator from Texas in getting their bill through quickly because, frankly, if we are not on the foreign operations bill tomorrow, and hopefully either finished tomorrow or in the wee hours of Thursday morning, we run a real risk of not getting that bill through.

So I have had numerous colleagues, Republicans and Democrats, telling me of their support for the foreign operations bill. I have had numerous colleagues, Republicans and Democrats, tell me of their support for the Israeli-Palestinian peace process. And I will tell my colleagues, time is running out. If we are not completed really within a day, day and a half, we are gone. Much of that flexibility that we need as a Nation and is supported by a vast majority of Republicans and Democrats on this floor is going to be lost.

So I implore Republicans to work with their distinguished leader, and Democrats to work with our distinguished leader. I know the two leaders strongly support getting this bill passed. Please help us on it.

Madam President, I thank you very much, and I thank the distinguished leader and my distinguished friend from Utah. I thank them for their usual courtesy.

Mr. MITCHELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT

Mr. MITCHELL. Madam President, I further ask unanimous consent that at 10:15 a.m. tomorrow, Senator NICKLES be recognized to offer an amendment on national service; that there be a time limitation of 1 hour for debate on the amendment, with no second-degree amendment in order thereto, with the time equally divided and controlled in the usual form; and that when the time is used or yielded back, the Nickles amendment be temporarily laid aside; and that the Senate resume consideration and debate on the Bumpers amendment 910, pursuant to the previous order.

The PRESIDING OFFICER. Is in objection? Without objection, it is so ordered.

Mr. MITCHELL. Madam President, I further ask unanimous consent that after the disposition of the Bryan amendment, without intervening action or debate, the Senate proceed to vote on or in relation to the Nickles amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MITCHELL. Madam President, therefore, the Senate will tomorrow morning debate three amendments: Senator BRYAN's amendment, Senator NICKLES' amendment and the pending amendment by Senator BUMPERS, and will vote on those three amendments—the Bumpers amendment first, the Bryan amendment second and the Nickles amendment third—beginning at noon tomorrow.

In view of these agreements, there will be no further rollcall votes this evening. The Senate will remain in session for further debate on the pending Bumpers amendment.

If I may respond to the distinguished Senator from Vermont with respect to

his point, as he and other Senators are aware, I attempted earlier to obtain an agreement that would have permitted us to complete action on this bill by 5 p.m. tomorrow, at which time it was my intention to proceed to the foreign operations bill. Objection was made to that request and we now will explore other alternatives in an effort to complete action on this bill tomorrow at the earliest feasible time, and then to proceed to the foreign operations bill. So we are mindful of the concerns which he has raised, and we will do our best to see if we can get to that bill as soon as possible.

Madam President, I thank the Senator from Utah for his courtesy, and I yield the floor.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. HATCH. Madam President, I want to support the courageous initiatives taken by my good friend from Arkansas to eliminate the advanced solid rocket motor. I do not always agree with my friend on defense and space issues, but I have never hesitated to admire what I consider to be his solid determination to control spending and reduce the deficit.

Madam President, I want to congratulate the distinguished Senator from Arkansas for offering this amendment, and arguing for it. I think he is right.

I would like to give 10 solid reasons why the Senator from Arkansas is correct on this topic.

First, ASRM is a make-work program—something the media commonly refers to as pork. It has been attacked as wasteful by reputable groups—virtually every major scientific organization in the Nation—and even such popular media journals as the Reader's Digest. When the House nearly killed it last year, it was resurrected only by a last-minute smoke-filled room type of deal that traded away veterans' housing, think of it, veterans' housing, to find the money for this wasteful program.

Second, ASRM has a 100-percent cost overrun, and is nearly 6 years behind schedule. NASA stated its original costs to be $1.67 billion in 1988. Today, we are looking at a $3.7 to $3.9 billion bill. The ASRM's 1994 launch date has now been pushed to the year 2000.

Third, look at the opposition. The Bush administration, virtually every major environmental group, Dan Quayle, who was President Bush's "Mr. Space." And, every major taxpayer organization and other antiwaste groups. I ask unanimous consent that a letter from 13 such groups adamantly opposing the environmental and wasteful consequences of adopting the ASRM be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FRIENDS OF THE EARTH, NATIONAL TAXPAYERS UNION, NATIONAL AUDUBON SOCIETY, MILITARY TOXICS PROJECT, SIERRA CLUB, CITIZENS FOR A HEALTHY ENVIRONMENT, ENVIRONMENTAL COALITION OF MISSISSIPPI, 20/20 VISION NATIONAL PROJECT, NATURAL RESOURCES DEFENSE COUNCIL, NATIONAL WILDLIFE FEDERATION, SIERRA CLUB LEGAL DEFENSE FUND, COUNCIL FOR CITIZENS AGAINST GOVERNMENT WASTE, FEDERATION OF AMERICAN SCIENTISTS

August 10, 1993.

Hon. BARBARA A. MIKULSKI,
Chair, Subcommittee on VA, HUD, and Independent Agencies, Senate Appropriations Committee, Washington, DC.

DEAR MADAM CHAIR: On June 24 of this year the House voted 379 to 43 to kill NASA's wasteful and polluting Advanced Solid Rocket Motor (ASRM) program. We urge you to cancel this program in your Subcommittee's FY94 VA, HUD, and Independent Agencies appropriations bill.

The overwhelming show of support for the House amendment offered by Representative Klug sent a signal that Congress is serious about killing this pork-barrel program this year. A bipartisan companion bill in the Senate (S. 520, sponsored by Sens. Bumpers and Cohen) has already attracted a number of cosponsors.

The ASRM has serious fiscal and environmental problems. The program is already six years behind schedule and 100 percent over budget. The Congressional Budget Office estimates that cancellation of the ASRM will save taxpayers $1.6 billion over the next five years. For these reasons, groups such as the National Taxpayers Union, Citizens Against Government Waste, and Citizens for a Sound Economy have all joined in the fight to kill the ASRM.

Environmental groups have also rallied against this rocket program. During testing, the ASRM will emit hydrochloric acid which contributes to acid rain and toxic heavy metals which will irrevocably damage land, wetlands, fish, and wildlife in southern Mississippi. ASRM test will also threaten human health with the release of acid-coated particulates that complicate and create respiratory problems.

Finally, if and when the ASRM is launched it will emit chemicals that will react with and harm the stratospheric ozone layer. In response to these threats, numerous environmental organizations have opposed the ASRM including Citizens for a Healthy Environment, a group formed by southern Mississippi residents determined to fight ASRM testing and protect their families.

Last year, after the House voted to kill the ASRM, the Senate gave the program $50 million which was parlayed into $360 million in conference. We are determined to prevent this from happening again this year. NASA's already overburdened budget cannot support unneeded pork-barrel projects like the ASRM. Cutting funding for the ASRM is one of the hard choices that Congress must make if NASA's long-term budget plans are to be brought back down to earth. Please help protect the environment and reduce unnecessary spending by canceling further funding of the ASRM.

Sincerely,

Ralph De Gennaro, Director, Appropriations Project, Friends of the Earth.

Jill Lancelot, Director, Congressional Affairs, National Taxpayers Union.

On behalf of:

Brock Evans, Vice President for National Issues, National Audubon Society.

Cathy Hinds, Director, Military Toxics Project.

Lydia Schultz, President, Citizens for a Healthy Environment, Bay St. Louis, MS.

Sharon Newsome, Vice President, Resources Conservation Dept., National Wildlife Federation.

Dr. Robert Esher, Head, DeLisle Environmental Laboratory, Mississippi State University.

William Kulick, on behalf of: Sierra Club Mississippi Chapter.

Jamie Boyll, President, Environmental Coalition of Mississippi, Waveland, MS.

Suellen Lowry, Staff Attorney, Sierra Club Legal Defense Fund.

Steven Aftergood, Senior Research Analyst, Federation of American Scientists.

Lynne White, Prominent local activist, New Orleans, LA.

Tom Schatz, President, Council for Citizens Against Government Waste.

Robin Caiola, Legislative Director, 20/20 Vision National Project.

Debbie Sease, Legislative Director, Sierra Club.

David Hawkins, Atmospheric/Energy Program Coordinator, Natural Resources Defense Council.

*Affiliation for identification purposes only.

Mr. HATCH. Fourth, and this is an argument that touches a raw nerve for me, Mississippi will not lose a single job, or will not lose significant jobs if ASRM is canceled. My State, Utah, does lose 1,000 to 1,200 jobs even if ASRM is eliminated.

Where will these jobs go? They go to Mississippi to work on what is clearly the preferred alternative, a redesigned SRM that is available, was built more cheaply, and is more safe than the drawing board ASRM alternative.

Fifth, I want a good space program, but ASRM will make our already crippled space effort even worse. That is why President Bush and Vice President Quayle tried to end it.

The Federation of American Scientists said that it creates a dangerous environmental hazard. The National Research Council and the Aerospace Safety Advisory Panel said that it lacks technical merit. And even the voice of the space community, Space News, has admitted that NASA cannot have everything and ASRM should be the first to be eliminated.

Sixth, ASRM has split the Congress. The House rejected it. In House debates, the economics of the program were attacked as simply wasteful. Even the administration's usual supporters were offended by the new tactic of suddenly inserting Russian space interests into our program.

Does anyone know the status of the Russian space program? I do. The launch pads are in desperate shape. Equipment is rusting from nonmaintenance. It has been cited by space expert James Oberg as a "nightmare." Even Radio Moscow has called the Russian space program a joke.

Seventh, the Bush administration opposed ASRM. It urged the budget be zeroed for the fiscal 1993 and fiscal 1994

budgets. Even congressional supporters of NASA changed positions after hearing the Bush administration arguments.

Eighth, ASRM is simply bad for the environment. Each ground test will generate over 100 tons of hydrogen chloride gas, damaging to the wetlands and contributing to the acid rain in the Mississippi testing region. The chlorine contributes further to ozone depletion, and the aluminum particulates in the fuel are well-known contributors or sources of respiratory problems.

Ninth, we do not need the ASRM. Successive GAO findings have said it is unnecessary for launching the space station and fulfills no scientific or engineering purpose. The same studies point to the redesigned SRM as being preferable for assuring shuttle safety. In fact, the same study noted that the ASRM program called for such cost-cutting measures as elimination of the rocket's O-rings' leaks check. These were the cause of the *Challenger* accident.

Madam President, a February 1993 CBO report cites a savings of $1.6 billion from cancellation of the ASRM, while stating further that NASA itself would be willing to rely on the redesigned SRM which the report says "is performing well."

I submit this extract from the CBO report for the RECORD, Madam President. I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Congress of the United States,
Congressional Budget Office]

REDUCING THE DEFICIT: SPENDING AND REVENUE OPTIONS

(A Report to the Senate and House Committees on the Budget)

CANCEL THE NASA DEVELOPMENT PROGRAM FOR THE ADVANCED SOLID ROCKET MOTOR

Savings from CBO baseline	Annual savings (millions of dollars)					Cumulative 5-year savings
	1994	1995	1996	1997	1998	
Budget authority	370	380	390	400	410	1,950
Outlays	170	320	360	380	400	1,650

The National Aeronautics and Space Administration (NASA) is developing the Advanced Solid Rocket Motor (ASRM) to replace the redesigned solid rocket motor currently used to launch the space shuttle. Canceling the ASRM program could save $1.6 billion from 1994 through 1998, relative to the CBO baseline. President Bush's budget request for 1993 proposed canceling the program, but the Congress chose to continue funding.

NASA initiated the ASRM program to improve the safety of the space shuttle and to increase the weight of the payloads it can carry. But NASA's own Aerospace Safety Advisory Panel points out that the redesigned rocket booster is performing well. According to the panel, investments in other parts of the shuttle system—for example, the turbo pumps that provide fuel to the space shuttle's main engines—would enhance the safety of the shuttle more than would investment in the ASRM. As for increasing the carrying capacity of the space shuttle by 12,000 pounds, only the space station program benefits from the increase in capability. The ASRM would serve the space station program in two ways: the shuttle would be able to deploy the space station in fewer flights, and the risky activity of moving equipment from the shuttle to the space station's modules would be reduced because the modules could be more fully equipped when launched.

The ASRM program can be questioned as an investment regardless of its role in the space station program. It is unlikely that the shuttle system will be operated after 2020. If the program's anticipated cost of $3 billion were spread over 200 shuttle flights, a number sufficient to fly the vehicle eight times a year between 1996 and 2020, developing the ASRM would add $15 million to the cost of each flight. Predicted decreases in the acquisition cost of ASRM boosters compared with the cost of redesigned solid rocket boosters could offset part of these increased costs.

A 1991 report on the ASRM program by the National Research Council raised other questions. The report indicated that significant design and manufacturing problems may increase the cost of the program and delay the introduction of the booster. Indeed, a 1992 General Accounting Office report found that between January 1988 and July 1992, the cost of development for the ASRM increased by 95 percent; the rocket's first flight has slipped by more than 24 months. If the development of the ASRM is further delayed, it could not be used to deploy the space station unless the schedule for that also slips. If the booster costs more to develop than NASA has anticipated, its addition to the average cost of a shuttle flight would be even greater than the $15 million noted above.

The case for the ASRM program rests primarily on its ability to support the deployment of the space station. Additional benefits that could accrue from the program include demonstrating the application of advanced manufacturing technology to launch-vehicle production, and the possibility that the booster could be used in space launch systems developed in the future.

Mr. HATCH. Finally, Madam President, there is a better alternative, as I have intimated. We are already developing alternative propulsion systems that have nearly made ASRM obsolete, or certainly will at the slow rate its construction is progressing. In fact, in hearings on the ASRM the American Institute of Aeronautics and Astronautics has labeled it a dead-end development. Alternative rocket motors are simply better in terms of the economics of propulsion as well as safety. The alternatives are fail-safe and produce low levels of toxic exhaust. And let me add that the RSRM has just this month been hailed by NASA for having "no flight safety issues."

I ask unanimous consent that a copy of the NASA letter dated September 14, 1993, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Marshall Space Flight Center, AL.

Date: September 14, 1993.

Subject: RSRM Process-Product Integrity Audit (PPIA) Results.

THIOKOL CORP.
Attn: Mr. George Alford,
Brigham City, UT.

It is my pleasure to forward to you the enclosed letter from Mr. Jim Ehl congratulating Thiokol for "an extensive, comprehensive, and thorough review" during the Phase II Process-Product Integrity Audit. The results of the Phase II Audit confirmed the findings of the Thiokol "Redline" teams and identified no flight safety issues. The confidence expressed in the Thiokol manufacturing-quality system is attributable to every individual that makes up the RSRM team.

America relies upon the safety and reliability of the RSRMs to support the manned space flight program. To fulfill this expectation, it is absolutely critical that we remain vigilant against complacency and that each RSRM team member continue to improve the efficiency, quality, reliability, and safety within their area of responsibility.

Please accept my appreciation for a job well done in support of the PPIA, and convey my thanks to the entire RSRM team.

VICTOR K. HENSON,
Manager, RSRM Project Office.

Mr. HATCH. Madam President, I hope that I have demonstrated that ASRM simply has no justifiable place in a space program that needs to be noted for quality and not for convenience. Although I have great sympathy for my friends from Mississippi, I have to say that they are not going to lose if ASRM is shut down. They will gain jobs and they will, I think, benefit from whatever program, especially if the SRM Program continues.

Madam President, I appreciate being given this opportunity to make these points. I know there are others who feel otherwise, but I think these scientific points have to be made and that they should be adhered to and we ought to listen to them.

I yield the floor.

Mr. LAUTENBERG and Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. HEFLIN. Madam President, I rise today in strong support for the advanced solid rocket motor known as the ASRM.

I think there are several factors that we have to bear in mind as we consider this debate. First, the safety of the shuttle and its current solid rocket motors.

Second, the fact that completing the ASRM will result in over $100 million in cost savings compared to the continued use of the current solid rocket motor even if this space station program was terminated.

Now, this is something I think we ought to bear in mind as we try to reduce the deficit. Actually, it would cost today, regardless of its relationship to the space station, but just through its use with the shuttle alone, $100 million more to terminate this program than it would cost to complete it.

If the ASRM is used to launch the space station, we will have a net deficit reduction of $2.5 billion versus continuing with the present motor. If the ASRM is used to launch the space station as is planned, it would actually cost $2.5 billion more to terminate the program than it would to go ahead and complete it.

Now, if the space station is put in a higher orbit, such as the 51.6-degree inclination that is now being considered by the President in possible relationship with the Russians, the ASRM is the only rocket motor that can reach that orbit.

But let us not forget that shuttle safety is the primary issue. I think sometimes we have forgotten this and stressed other issues like 51.6 orbit and extra lift. The primary issue is safety, the safety of the astronauts that are aboard the shuttle.

The ASRM was born out of disaster, the *Challenger* explosion, an accident attributed to a design considered unacceptably sensitive to a number of factors including but not limited to the O-ring design. It became clear that the Nation must pursue a second source supplier and a new or an advanced solid rocket motor for the space shuttle.

It was not Congressman WHITTEN or some other Members of Congress who were interested in pork who created this program but instead a Presidential Commission that reviewed the causes of the *Challenger* explosion. That Commission came up with the recommendation that there be a completely new advanced solid rocket motor built, that a redesign was insufficient.

They also said it would take some time to do this. In the meantime, we ought to have an interim solid rocket motor. So NASA developed what is known as the revised solid rocket motor. It was built on the idea of trying to provide changes and improvements but it still had the O-ring in it which was the cause of the *Challenger* disaster.

Congress also became concerned that there was no control over the single source, contractor-owned facility that produced the disastrous old solid rocket motor. The decision at that time was that we would recompete the contract on the rocket motor production and get a Government-owned, contractor operated facility which would give NASA greater control over those aspects of the program affecting safety.

The true result of these initiatives was the advanced solid rocket motor to be manufactured in Yellow Creek, MS, 4 miles from the Alabama border. Of course, I have to admit that I have a parochial interest in this. But far beyond that, the issue of safety is what compels me to speak in regard to this and why I have worked so hard on it.

NASA is currently using the redesigned solid rocket motor known as the ASRM to launch the space shuttle. The motor was never seen as anything more than a interim measure, a quick fix, to keep the shuttle flying while the real solution, the ASRM, was being developed. The primary cause of the O-ring leak that resulted in the *Challenger's* explosion was fixed but the threat of another O-ring leak remains. There have been certain things that have occurred that show this clearly.

In September of 1992, during a proposed launch test, a leak was discovered in the shuttle's rockets O-ring.

I have before me the Orlando Sentinel which revealed that a recent test showed that there was a leak in the shuttle rocket's O-ring. The problem in the booster rocket is similar to the one that led to the *Challenger*'s explosion.

This article goes into details. While it was admirable that NASA and the manufacturer were honest about this problem, it nevertheless points out that there is still problems with the O-ring.

There were two Associated Press news releases which verify the Orlando Sentinel's story. At the proper time in regard to the debate, I will enter them into the RECORD.

The ASRM will provide a more reliable and robust booster which will greatly enhance the space shuttle's launch safety.

First, the ASRM will not have any O-rings, completely eliminating the cause of failure which brought about the *Challenger*'s explosion. Other improvements, including fewer joints designed into the motor, the elimination of asbestos insulation—and we are using the present rocket motor today with asbestos insulation in it—and a propellant design that minimizes the need to throttle down the main engines during ascent are also incorporated in the new motor. Each of these enhancements is designed to reduce the sensitivity and increase the reliability of the boosters. This new design should reduce the possibility of having to abort a mission and return to the launch site if one of the Shuttle's liquid fuel main engines shuts down early in launch. For some missions, the ASRM reduces this window of vulnerability by up to half. The present solid rocket motor uses a series of joints, bolts, and seals which the pressure of the firing tends to open. But the ASRM is designed so that the pressure acts to close its joints, thus reducing by 88 percent the potential for gas leaks such as the one that led to the *Challenger*'s destruction.

The manufacturing facility at Yellow Creek made use of nearly $300 million in infrastructure which stood idle when the Yellow Creek nuclear plant construction was canceled by TVA. The economic impact of the loss of that nuclear plant on the local area was staggering. Unemployment grew to double digits. The ASRM Program acquired this site for $5 million and began the process of converting it for use as an ASRM manufacturing facility employing nearly 2,000 people during construction and 1,200 permanent employees.

The plant is state of the art, highly automated and fully adheres to the principle of greater competition in Federal procurement. Automated production is expected to reduce human error in manufacturing shuttle motors considerably.

According to NASA, as many as half of the past solid rocket motor discrepancies result from human involvement in the manufacturing process. The new plant will automate a wide range of production facilities including mixing propellants, supplying insulation and adhesives and cleaning motor cases.

The emphasis on this new design is safety. The reason is simple. The shuttle is a unique and vital national system which transports a most precious national asset: the men and women who fly in it in the pursuit of scientific and technological advancement.

Opponents of the program have said, "Well, the present motor has flown successfully." Senator BUMPERS stated that as of October 1992 there were 26 flights in which the present rocket motor had been used and there has been no disaster.

Actually, the shuttle had flown successfully on nearly that number of flights when the fateful 25th mission took place and took the lives of the gallant Americans, including the first teacher in space.

There have now been 33 successful flights since the *Challenger*'s explosion. I do not think that there is a great deal of difference between 33 and 25. You cannot, in my judgment, say that 33 successful flights means that now you have a safe rocket motor.

There are those that would conclude that there is no need for an enhancement to a solid rocket motor design after 33 launches, but I am not one of those.

I could not tell our current and future generations of American astronauts that safe enough is good enough. The current system relies on 30-year-old technology in solid rocket propellants. Manufacturing relies heavily on human intervention in the process, an intervention that we have already heard causes 50 percent of manufacturing discrepancies. The current manufacturing processes include the practice of batch mixing in which about 165 individual containers of propellant are mixed in separate facilities to avoid large explosions and then transported to be poured into the motor.

In the ASRM production facility, the propellant would be continuously mixed and directly poured into the motor cases. ASRM provides safety enhancement for both the astronauts who use it and the dedicated employees who manufacture it. A practical and cost-

effective attribute of the ASRM design is that it produces 12,000 pounds of additional lift at a cost per flight set almost one-third less than the current system.

Since ASRM can lift a greater payload, the cost per pound to orbit will be significantly reduced. A payload requiring 13 flights of the shuttle under the current system could be delivered using only 10 flights with the ASRM.

The opponents of ASRM argue that its termination would save scarce funding resources. This is simply not the case. Even if the ASRM Program is not used in conjunction with the space station, if it is not used at all with the space station, the United States will save approximately $100 million over 10 years by using the new motor on the space shuttle.

I base this statement on the fact that the cost difference between the current flight motor set and ASRM over this period would amount to $1.4 billion, and the contract termination liabilities are $300 million, which combined total $100 million more than the $1.6 billion needed to finish the program.

In calculating that, you figure that there is between seven and eight flights of the shuttle per year. This number will certainly increase in the event that we do not go forward with the space station. So you fly 8 missions a year at $18 million per flight, multiplied by 10 years, and you come out $1.4 billion.

This is a matter of true savings. It would cost more to terminate the ASRM Program than it would to go forward to complete it.

If the cost saving of using the ASRM to put the space station in orbit are considered, the figures become even more compelling. Based upon nonrecurring investment costs and 10 years of operating costs, NASA would experience $4.05 billion in additional expenses if the ASRM Program is canceled.

First, in making up these are contract termination costs, $300 million.

Second, extra shuttle flights will be needed to deliver the supplies to the space station due to less lift capability per flight of the ASRM, costing $225 million.

Third, a 9-month slip in the space station schedule will cost $1.1 billion.

Fourth, additional shuttle flights needed for the space station station operations, will cost $1.1 billion over 10 years.

Fifth, the unit cost differential between the current flight set and ASRM flight set, which I mentioned previously, at $18 million per set over 10 years will cost $1.4 billion.

Compare this to the $1.6 billion needed to complete the ASRM development and bring it to operational status, and you have a net savings of $2.5 billion. This cost comparison has been submitted to NASA, and they have verified these cost evaluations.

NASA has also identified a number of indirect costs to be incurred if ASRM is terminated, including the costs associated with the program to eliminate asbestos from the redesigned solid rocket motor.

There are those who would state that the ASRM will not be ready in time to support the launch and assembly of the space station. This is not the case. The completion date of the ASRM project has been slipping due to yearly congressional cuts to the program budget. But even though it has been consistently underfunded, the program is remarkably intact. The manufacturing facility in Yellow Creek is near completion. It is to be completed by the end of 1994.

I have here a photograph showing how much of this has been completed. Here are the buildings which have been built. As you can see, this is a large complex near completion. Here is another close-up picture showing more detail.

As Senator COCHRAN argued in his speech, it would be very foolish now, at this time, when it is so near to being completed, for it to be terminated.

There are other issues pending, such as the level of participation of the Russian scientific community in the space station. If it is decided to allow the Russians to join the program, it is very likely that the station will be placed in a 51.6-degree inclination orbit, which is far higher than had been originally planned. This being the case, the additional lift of the ASRM becomes vitally important. The current rocket motor simply does not have sufficient lift capacity to put the station into this orbit, as this letter from the NASA Administrator indicates.

I ask unanimous consent that this letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HEFLIN. Madam President, it states that the ASRM is NASA's obvious choice to provide the extra lift needed to put the station in the high inclination orbit, either by itself or in concert with other improvements.

While we are on this subject, there has been this issue raised about the possibility of an aluminum/lithium tank and some other matters. It has been suggested that the higher space station orbit now being discussed by the United States and Russian negotiators is achievable without ASRM.

I recently had a conversation with Dan Goldin, the Administrator of NASA, and he told me and other Members of Congress at that particular time that the aluminum/lithium tank would not be the method used, as it could not provide the lift.

Some suggest that the ASRM can be replaced by such enhancements to the space transportation system as the use of single-use boosters, which have no recovery system, or the development of a lightweight aluminum/lithium tank and the operation of the space shuttle main engines at 107 percent of their rated power. However, the cost of a nonrecoverable flight set of single-use boosters is approximately $130 million, which is almost three times the cost of a set of ASRM boosters.

The aluminum/lithium external tank is only in the initial stage of conceptual development. No development funds have yet been programmed for this purpose. It, too, will have a higher unit cost than the ASRM boosters. The payload gain made possible through the use of such a tank, once fully developed and operational, as now projected even under optimistic scenarios, is to be about half-a-ton smaller than originally proposed.

Finally, the in-flight operation of the space shuttle main engines at 107 percent of rated power is something that has never been done before. It requires exhaustion of the reserve which has been previously designated only for attempts to avoid the termination of the flight.

So, in regard to this aluminum/lithium tank, I feel that to abandon ASRM and pursue the tank alone is a serious mistake.

A vote on the floor to cut the ASRM funding is a vote to accept, without investigation, the unknown costs and significant risks involved in these proposed alternatives to the ASRM.

But regardless of the question of the space station, regardless of the issue of 51.6 degrees deviation orbit, the main issue comes back to safety, an issue that I think we should never lose sight of during this debate.

In addition to the things that I mentioned in these newspaper articles about the O-ring question and whether or not the O-ring would be safe, the present rocket motor does not meet the flight safety requirements of NASA. It is necessary that NASA grant numerous waivers and deviations in order to permit the launch of the shuttle with the current rocket motor.

For example, on January 13, 1993, three permanent and eight flight-specific waivors were required because of the inability of the present solid rocket motor design to meet established flight safety requirements. While improvements have been made to the pressure seal that failed on the *Challenger*, problems still exist in other seals in the present solid rocket motors we are using. Leaks occur on almost every flight. The present solid rocket motor's structure does not meet minimum structural strength requirements regarding buckling during the ignition of the shuttle's main engines. The present solid rocket motor's solid propellant is unable to withstand long-term exposure to high humidity, and thus a safety requirement regarding the risk involved with such propellant is waived

on every present solid rocket motor that is being used.

The solid rocket motor propellant that we are using today does not meet the required structure of safety factors which were intended to compensate for uncertainty and variability in materials manufacturing, loads, and environments. Cracks routinely occur in the present motor propellant and such cracks could lead to critical overpressurization.

Let me mention another thing in regard to taking the recovery equipment off the RSRM to provide additional life. There are safety factors that are very important relative to the issue of inspection after you recover the solid rocket motors. These are the motors that fell off the shuttle into the ocean and we are able to recover them. They are then tested to determine whether or not there are cracks or there are defects that occurred during the flight.

That safety factor had been used in the past to allow us to be able to learn from our experience. If a nonrecoverable RSRM is used, this information will be lost and flight safety will be reduced.

I think the Senate has a choice to make. We can terminate this program and rely on the existing rocket motor which has questionable safety, uses outdated technology, and delays the space station program for almost a year, or we can field a state-of-the-art, ultrasafe motor with a high payload lift capacity for less than half the price.

The choice is clear. The ASRM is an integral part of the future of the shuttle system which will probably fly for another 30 years.

I ask Senators to join me in supporting this critical program and defeating this amendment.

I yield the floor.

EXHIBIT 1

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Washington, DC, September 8, 1993.

Hon. HOWELL HEFLIN,
U.S. Senate, Washington, DC.

DEAR SENATOR HEFLIN: Thank you for your letter of August 31, 1993, regarding the desirability of the Advanced Solid Rocket Motor (ASRM) program.

As you correctly observe, additional performance will be extremely useful if the Space Shuttle is to deploy Space Station elements to higher inclinations, as was recommended by the President's Advisory Committee on the Redesign of the Space Station. NASA has examined alternative ways of obtaining the increased performance necessary, and we believe the ASRM—either by itself or in concert with other improvements—is the most obvious solution. The ASRM is an important consideration as we assess a Space Station at higher and lower inclinations.

NASA and the Administration continue to support the fiscal year 1994 budget request of $313 million for the ASRM program.

We appreciate your work in support of this program and stand ready to assist in any way possible.

Sincerely,

DANIEL S. GOLDIN,
Administrator.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Madam President, I would expect the Senator from New Jersey to speak. Since he is not on the floor, I wish to make my statement now and trust that he can obtain the floor when he returns.

I listened with interest to the comments of my friend from Alabama. In many instances, I am on the same side of the issues with my friend from Alabama, but on this one I am afraid I am on the other side.

He confessed to a parochial interest because Yellow Creek is very close to Alabama. I must confess to a similar parochial interest because the RSRM is produced in Brigham City, UT, and represents a substantial Utah interest.

Like my friend from Alabama, I will do my best to set aside the parochial interest and address this issue as much on the merits as I possibly can.

It is very correct to say that the ASRM was born out of the *Challenger* disaster. It was authorized specifically, in quoting the Senate authorizing committee, "to provide added reliability and performance with the emphasis on the former and not the latter."

So let us talk about reliability.

ASRM, conceived to provide more reliability, has taken a long time, and in the meantime the solid rocket motor has been redesigned, known as the RSRM. And guess what? In the process of the redesign to make the RSRM safer, it is now the opinion of NASA's aerospace safety advisory panel that the RSRM that we are now using and has flown safely 31 times since its redesign—I am not talking about the flight prior to the redesign—since its redesign the NASA aerospace safety advice panel reports:

On the basis of safety and reliability alone, it is questionable whether the ASRM would be superior to the RSRM which has undergone extensive design changes.

So NASA is saying that the RSRM is probably safer than the ASRM, which removes the whole reason for the ASRM in the first place.

Now, every RSRM launched has been inspected after its use and found by NASA to be in excellent condition. There has been no indication of any kind of the repetition of the kinds of design failures that caused the *Challenger* disaster. With this wealth of testing, we can be sure that RSRM is working correctly, but we have no such assurance with the ASRM because it is new technology. So we are faced with an interesting circumstance. There is new technology that, with scheduling delays, cost overruns, technical difficulties, is untested and unproven, and competing with a proven record of the RSRM.

It is very clear that on the safety issue NASA is satisfied with the RSRM.

Now, let us come to the question of high performance. I must respectfully disagree with my colleague on the use of the aluminum/lithium tank. After the safety and reliability questions are answered, ASRM shifts the debate and says, well, now, we must talk about increased thrust. Is the increased thrust needed?

By virtue of the redesign that has been made in the space station, which we voted on here today, we are not entirely sure whether the additional thrust is going to be needed or not. But if it is—let us assume that it is—is the RSRM with the aluminum/lithium tank capable of providing the same payloads as ASRM? And the answer is clearly yes. This is not a controversial circumstance. This is not a redesign. This is not a new technology. It simply consists of, take the current RSRM, the solid rocket motors, and put it in a tank with a lighter alloy, which simply means that the shuttle can carry a heavier payload because it is carrying less weight.

The RSRM is a proven technology, a safe technology that NASA itself has said can be enhanced by a lighter tank. The report on the Space Station *Alpha* indicates that not only is NASA satisfied with the use of an aluminum/lithium tank, but Japan, one of our partners in the space station activity, welcomes the adoption of the aluminum/lithium tank.

There is much more that can be said on all of the questions of performance capability. I will defer going over all the numbers and talk very briefly about what I consider to be the core of this circumstance.

If the matter is as compelling as I believe it is, that there is no need for the ASRM, given the safety and performance capability of the RSRM, why is it not canceled?

Well, as far as the administration is concerned, prior to the election, it was.

I want to read for the RECORD, and then submit to the printed—well, I will read it first. It is in better type when I read it. When you submit it, it gets in that little bitty type that nobody can read, so I will read it. This will not take the Senate long to listen to it.

This is a letter dated July 16, 1992, from the Vice President of the United States, at that time Dan Quayle.

And, as we all know, starting with Jack Kennedy, the Vice President has always been given a unique role in the Nation's space program. President Kennedy did it with Lyndon Johnson and the tradition has gone on all the way through. It is addressed to a Ms. Lynne White in New Orleans, LA.

DEAR MS. WHITE: It was a pleasure to meet you at the Heritage Foundation's reception

in Charleston, South Carolina. Thank you very much for your subsequent letter of support and for your kind words.

I particularly appreciate your strong support for the Administration's proposal to terminate the Advanced Solid Rocket Motor (ASRM) program. I know this program provides many jobs, and it is always difficult to take actions which can harm a local economy.

However, the needs which underpinned ASRM are no longer compelling. Safety problems associated with the existing Space Shuttle Solid Rocket Motors have been corrected and the number of projected space shuttle flights has declined. There is still value in the increased performance which ASRM would provide, but alternatives exist.

The bottom line is that the space program doesn't need ASRM. That is why President Bush did not request funds for the program in his fiscal year 1993 budget. And, that is why the Administration is opposing Congressional efforts to continue spending $500 million a year for this activity.

I applaud your efforts to put a stop to the ASRM program. Keep up the good work.

Sincerely,

DAN QUAYLE.

Since this letter was written, we have had an election. And since the election, we have had a new Vice President who comes from a state where there are a number of jobs connected with the Yellow Creek facility.

Since the elevation of the Vice President to the position of prominence in the administration that the Vice President always has with respect to space, NASA has magically changed its mind about the ASRM.

Now, Madam President, I have served in an administration. I know who sets the policy in an administration.

I remember very clearly the circumstance where the Secretary under whom I served had a strong position. We went to the White House in support of that position. We made our pitch. I was involved in the pitch. We came back and received word from the White House that the President had decided against us.

There were some in that group who then started to complain and make public statements. Unfortunately, these got in the newspaper. I remember very clearly the meeting that was held where the Under Secretary gathered all of us together, all of us who were in a policy position, and he said:

Let me make something very clear. If you disagree with the President, you may resign. But you may not, in the name of the administration, speak against the position of the President of the United States.

I am sure that same kind of meeting has been held in NASA. If the NASA scientists who disagree with the Vice President of the United States wish to keep their jobs, they must now send us letters telling us that magically the ASRM is suddenly okay.

I happen to believe the letter that Dan Quayle wrote represented the true position of NASA on this issue. I think the lack of enthusiasm for the ASRM on the part of NASA scientists is pretty overwhelming, and they give testimony in its favor very reluctantly and only under pressure from Members of this body.

I see now, Madam President, that the Senator from New Jersey has returned to the floor. I am happy to conclude my remarks, understanding that the time has come for him to make his.

I simply make it clear that, in my opinion, this is a circumstance somewhat similar to someone having an automobile whose air conditioner broke down and was convinced that it was necessary to buy a whole new car. In the process of waiting for the new car, a mechanic fixed his air conditioner. It is now working just fine—and he still wants a new car.

For us to say, all right, let us throw away the old and go to the new when, in fact, we do not need it, would be a demonstration of tremendous waste on the part of this Government.

We sat here on the floor. We debated the space station. There were some heated words said in that period of time.

I am one who supports the space station. I understand the concern of those who are opposed to it, who talked about the budget overruns. Voting to terminate ASRM is a way, if the people are concerned about the budget overruns, for them to make atonement, if you will, on that particular issue. You can be for the space station and still be against pork if you vote against the ASRM.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank my colleague from Utah for his courtesy.

We are all trying to terminate funding for the ASRM but find ourselves on the other side of this issue from our distinguished colleague and friend from Alabama. And it does not surprise me that he enthusiastically supports the program. As a matter of fact, I would be disappointed if he did not. He has a different interest.

But I would tell you that I hope we are going to eliminate funds for the advanced solid rocket motor. It shocks me that we continue discussing funding for programs that are questionable at best, that are most likely to lead nowhere in the final analysis, and when we have had this wrenching debate of some weeks ago when a budget reconciliation passed by the skin of the Vice President's teeth. It was close call, at best.

Part of the question was whether or not we are keeping faith with the American people as we ask them to shoulder more of a burden in the interest of sacrificing to get our country back in a recovery mode. And I think it is quite common knowledge that I voted against it. I am going to do my best to make the program work, I can tell you that, but I voted against it because I felt that we had yet to take advantage of the savings that should come from reducing expenditures first.

Madam President, this spring, I introduced a bill to terminate funding for the advanced solid rocket motor, the space station, and the super collider. That is quite a triad. I introduced the legislation because they are all very expensive projects with no visible mission.

Termination of these programs would save over $15 billion over the next 5 years. We should eliminate these unnecessary expenditures and apply the savings toward deficit reduction or to make investments that are important for future economic growth and provide for pressing national needs and, more importantly, to keep faith with the American people.

Today, the Senate can eliminate funding for the ASRM, the advanced solid rocket motor. If the pending amendment is adopted we will save on this one alone $1.6 billion over the next 5 years. That is still significant money.

Madam President, the ASRM started out with good intentions. In the wake of the *Challenger* tragedy, a Presidential commission recommended that NASA develop a new solid rocket motor to replace the one that failed during the accident. At the time, NASA wanted to ensure that a safe, solid rocket motor was available to launch the space shuttle and have a more powerful rocket motor to launch heavier payloads required by the space station and the Advanced X-ray Astrophysics Facility. Congress approved this proposal in 1988 in the NASA authorization bill.

However, since that time the General Accounting Office found that, between 1988 and 1992, the cost of the project increased by a mere 95 percent, from a total of $1.67 billion to $3.25 billion. And during this time in concert with that the completion schedule slipped by over 2½ years. We were not getting value but it was matched by taking longer.

Since that time, the existing improved solid rocket motor has functioned well in over 25 shuttle launches since the terrible day the *Challenger* went down. Because the ASRM program was delayed and the existing rocket motor was functioning well, the Bush administration took another look at the project.

Then, as we heard from our colleague from Utah, the Vice President, then Dan Quayle, Chairman of the Space Council, commissioned a panel to review the need for the ASRM. The Vice President concluded, "The bottom line is that the space program does not need the ASRM."

Therefore, President Bush did not request any funds for the program in the fiscal 1993 budget.

On top of this, the National Research Council and NASA's own Aerospace

Safety Advisory Panel questioned the need for the ASRM. In addition, the potential testing and launching of the ASRM, it was said, could cause significant environmental damage. The potential testing could damage nearby wetlands supporting the Stennis Space Flight Center, and the ASRM could damage the ozone layer if it was used in a launch.

These environmental consequences have created the usual group of organizations opposed to the ASRM. They include the National Taxpayers Union, National Resources Defense Council, Council For Citizens Against Government Waste, the Sierra Club, Citizens for a Sound Economy and Greenpeace.

This is not often a group that has a homogeneous view, but they agree on one thing. This program is a waste of time and money and potentially can cause environmental damage.

Madam President, the experts agree that we do not need the ASRM and we ought to heed their advice. This amendment is truly in the national interest. It eliminates an expensive project that space experts have said is no longer necessary. It achieves significant savings and, in my view, keeps faith with the promises we made to the American people.

I hope my colleagues will support the amendment.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. Madam President, I rise in opposition, tonight, to the Bumpers amendment. But before I get into some remarks I want to commend the distinguished chairman of the subcommittee that has brought this legislation to the floor. She has had a very tough job. She has faced that job and has handled it in a very fine way and did an excellent job today. I want to thank her for her support for the ASRM. She did support it in the subcommittee that included $162 million for the advanced solid rocket motor.

When you talk about who supports it and who opposes it, I think it is significant. The chairman of the subcommittee supports it, and the ranking member of the subcommittee, the Senator from Texas, Senator GRAMM, supports ASRM. I appreciate them for their fine work and for their support for the continuation of this project.

Also, I think I would like to note the excellent statement that was made tonight by the distinguished Senator from Alabama. He really did a fine job. He knows what he is talking about. He has been working on the NASA programs and the space program for years as a Member of this body. He was a member of the Commerce, Science, and Transportation Committee and had personal, intimate knowledge of it for years. Of course, his State of Alabama has been very much involved in the NASA space program. But I thought he did just an outstanding job in his remarks tonight.

I do not want to repeat a lot of what he said because he said it so well, and the hour is late.

Let me tell you a little bit about who is for this project, once again. The last three NASA Administrators have been for it. They supported ASRM. They asked for ASRM funding. Administrator Fletcher, Administrator Truly, and Administrator Goldin have been actively, aggressively for it.

This is not a pork project in that it is something that some Member of the House or the Senate stuck in a bill. This is something that NASA asked for, came to Congress and asked for. They supported it through Republican and Democratic administrations, and continue to say it is needed. They selected the site. No Member of Congress, House or Senate, selected the site. This site was selected because there was a piece of land there that was available, it was a good location, it had water access to the testing areas and because, unfortunately, $300 million of taxpayers' money had already been spent at this site.

There, at that site today, a nuclear powerplant dome stands rusting, unused. So there was a bargain. Here was a site that had some buildings that could be used. It was available. The taxpayers had already spent money on this site. The people of Mississippi, Alabama, Tennessee had already made contributions and sacrifices. So this was a logical site. It made good sense to pick this site. That is why it is where it is.

Again, three NASA Administrators have asked for this.

With regard to what happened last year, who was for it and who was against it, I know in telephone conversations as the year went along the Director of the Office of Management and Budget assured me that the administration wanted the ASRM. And the proof is in the pudding. What happened in the end? The conference included $330 million for the ASRM last year. So we know OMB was involved in that. The Vice President was aware of that. I can tell you they both supported it.

But the irony of it all, tonight we have some of my colleagues on the other side citing a letter from former Vice President Quayle.

Tonight I will tell you that this President, the Democratic President, supports ASRM. He asked for it in his budget, $313 million. And the Vice President, AL GORE, a member of the Commerce, Science, and Transportation Committee, serving on the subcommittee that I serve on that has jurisdiction for NASA authorization, supported ASRM as a member of that committee and as a Member of this body.

I can tell my colleagues when he was a candidate, the nominee for Vice President of the United States took the time to call those of us who are interested in this project, called me in this room right back here and said, "I want you to know I support it. You can say to anybody it will make any difference to, that I support it." He came off the campaign trail to do that. And he supports it now. He has said that to the distinguished Chair of the subcommittee, Senator MIKULSKI of Maryland. So this administration is for it.

Dan Goldin, the current Administrator of NASA, is for it. His letter dated September 8, 1993, reiterates his continued support. In his letter, he says this is what we need. This is the logical solution to what we need in the future. So it is important that we remember the real history of ASRM and its supporters. As we move to this debate, I think there are some key factors. As I talked to Members of the Senate the things that really seem to catch their attention are things like this picture displayed by the distinguished Senator from Alabama. That is how much work has already been done. Numerous buildings are there. We have already spent $1.5 billion getting ready to construct this advanced solid rocket engine. Keep in mind now that is on top of the $300 million spent by TVA, and we are now two-thirds of the way toward completion of this project. And there will be a cost involved, as has been pointed out, of $2.5 billion if we do not have the ASRM.

So, when Senators and others realize the commitment that has been made, the construction that has occurred, the money that has already been spent, the savings we can have if we go forward with this project, they say, wait a minute—that is very interesting—we should continue and complete this project.

We voted earlier today, correctly, to defeat the Bumpers amendment and to go forward with space station. But here is another amendment to sort of pick apart, piece by piece, our space program. I think the American people support our space program. They want it. They want a safer program. They want one that will go forward and do its job—not only to provide jobs for the people but also provide enhanced technology and science.

So there is support for this project. People want it to go forward. They want the space station, and we voted that. But if we are going to have the space station at the higher orbit it is very clear that there are only really two legitimate ways to get there: One is ASRM, because it is at a higher orbit that present rockets cannot achieve, and the Administrator said the logical way to do it is with the ASRM. The other option is Russian rockets.

When the American people realize we are talking about the jobs of 16,000 Americans, 2,000 in my own immediate area, those jobs being lost so that we can use a questionable Russian rocket to boost our equipment into space, I do not believe the American people would

want that. That is a telling argument for the ASRM.

Madam President, I think there are three points I want to touch on tonight because it is late. No. 1, beyond what I have already said, I want to talk briefly about the capability of ASRM. I want to talk a little bit more about the cost savings and the commitment that was made to the American people and to the people in the area where this rocket will be constructed.

I focus on these issues because the Bumpers amendment would rob the space program of needed capability for international cooperation, cost the American taxpayer more dollars, and break a commitment to this Nation following the *Challenger* tragedy. Safety is an important feature, and Senator HEFLIN talked an awful lot about that and did a good job.

I would also like to set the context for this debate. We have just voted for the space station. The administration just signed a historic agreement with the Russians committing our countries to space cooperation, and yet this would start off right at the beginning to undermine that.

The question is: How best to meet these objectives in the most cost-effective and safest manner? We will show how the ASRM best meets that criteria of capability, performance, cost-effectiveness, and safety. The ASRM provides 30 percent more payload capability with a smaller engine so you get more boost at less cost. ASRM best achieves the higher orbit recommended by the Vest Commission and incorporated in the recent Russian agreements on space cooperation.

Administrator Goldin said:

NASA has examined the alternative ways of obtaining the increased performance necessary, and we believe that ASRM, either by itself or in concert with other improvements, is the most obvious solution.

Again, the current rocket does not have the capability to do the job. We can talk about these aluminum/lithium tanks but it is a theoretical thing. This is something that has not been researched, tested, or developed. We are talking about something way out there in the future.

So when it comes to capability, clearly the ASRM is what we are looking for.

I ask unanimous consent to print in the RECORD an article from the Wall Street Journal entitled "An Era of Space Detente, Beware of Bad Bargains."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 2, 1993]

IN ERA OF SPACE DETENTE, BEWARE OF BAD BARGAINS

(By James Oberg)

Vice President Gore's meetings yesterday and today with Russian Prime Minister Victor Chernomyrdin to discuss space-related issues are expected to yield greater cooperation between the two countries, particularly in areas such as space launch vehicles and launch facilities. Given U.S. budget constraints and the wide variety of high-quality Russian space hardware and services now being offered on the world market, such proposals are well worth considering. But extreme caution is called for, as the Russians may be trying to sell the U.S. goods they don't reliably possess.

Common suggestions focus on placing the NASA space station in an orbit far enough north to be serviced by the old Soviet Spaceport at Baikonur in Kazakhstan. Russian super-rockets in the Energiya program, the world's most powerful, are also under consideration for transporting into space many sections of the station's modular design.

Russian space officials have been enthusiastically promoting these ideas. They see a source of financial salvation for their own agencies and industries. So desperate are the Russians for the "American option" that they recently surrendered to U.S. State Department pressure over alleged "military rocket technology proliferation." That case involved in Russians' sharing with India their small-thrust liquid-hydrogen engine know-how, an expertise uniquely suited to communications and scientific launch vehicles and to a rocket technology that has never been used by any nation for military purposes. Nevertheless, the Russians agreed to break their existing contract with India and to withhold the manufacturing technology, reportedly as part of a deal to receive equally valued U.S. space contracts.

Americaqn space industries have been understandably reluctant partners in this new U.S.-Russian "space detente." They clearly would prefer that the space funding be given to them for the desired services. But when the "Russian option" provides services at a fraction of the American cost and years ahead of American schedules, congressional budget-cutters find the option attractive. As an alternative to total cancellation of major space program, U.S. aerospace giants have found they can live with the deal.

But all is not well with the fundamental underpinnings of the plan. Both the Russian space center at Baikonur and the Russian super-rocket Energiva are very bad bargains. By the time the U.S. may have to rely on their promised services, they may no longer exist.

The Energiya rocket, equivalent in power to the Saturn V moon rocket developed during the moon race in the 1960s, has flown only twice. Once, in 1987, it carried a thrown-together 100-ton payload that tumbled out of control and never made it into orbit. Then, in 1988, it carried a stripped-down unmanned space shuttle on a two-orbit mission.

Since then, all flight hardware has been rotting and rusting away in storage halls at Baikonur. The Soviet shuttle, an immense strategic, blunder, slowly strangled from lack of funding. It was finally terminated officially a few months ago. No further flights of the Energiya booster are even planned, unless lots of American money shows up, and even then the launches couldn't occur before 1997 or 1998.

Essentially, the entire Russian rocket program would have to be rebuilt from scratch. Key industrial partners in the project are now outside the Russian federation, and many of those factories have already been converted to other manufacturing. Between a third and a half of the most experienced personnel have already left the program for better-paying jobs with more secure futures. Existing hardware has been cannibalized for other projects or sold off as scrap.

What is more, the Baikonur Cosmodrome, as Russia's main space center is called, is a walking corpse, already evacuated by its most energetic veterans and now long abandoned by the Soviet support bureaucracies that used to make it a semi-tolerable duty location. Launchings continue under skeleton staffs, but increasingly serious breakdowns and worker food riots are threatening to bring the delicate high-tech rocket work to a halt.

Two recent space failures illustrate how close modern rocket technology runs to the edge of disaster.

The Zenit rocket, which serves both as an independent launch vehicle and as a booster for the Energiya heavy lifter, is manufactured at a plant in Ukraine. Between 1985 and 1991 it had a string of successes, but suddenly two years ago the vehicle underwent a series of random flight failures caused by inadequate preparation and quality control from the Ukrainian factory. An explosion destroyed one of the two launch pads, which has not been rebuilt.

Then an independent booster program, the Proton, was done in by a squabble over which Moscow agency owned it. A technical bureau that had been locked out of a profit-sharing plan decided to withdraw its inspectors from the launch site, and the very next vehicle fell into the Pacific Ocean. Out of four pads at Baikonur for the Proton rocket, only one is operational.

As if all this weren't enough, there are other problems with the Baikonur site. Ecologically, the region is beyond salvation. As the Aral Sea to its west continue to dry up, emanations from the exposed salt flats, laced with decades of pesticide pollution in the cotton fields upstream, are blown by the choking summer winds eastward across the desert to blanket the city of Leninsk where the space workers live. Infant mortality and birth defects in the area are unendurably high.

The government of Kazakhstan has claimed sovereignty over the base but cannot afford to provide basic services such as power and water, much less technical services. Also looming as a future crisis is the question of political rights for large Russian minorities within the borders of Kazakhstan, particularly in the northern regions where they actually form the majority and where sentiment is growing for partition and ultimate reunion with Russia. None of these flash points bode well for the stability of the Baikonur spaceport.

Conceivably, the Russian government might actually get many of the hoped-for U.S. space dollars for expanded joint work, since there is much in the Russian space program well worth buying, leasing or licensing. Its space station hardware and experience can be extremely valuable. But the price of rebuilding the already collapsed infrastructure of Baikonur and the Energiya rocket is too high. Fruitful U.S. Russian space cooperation must depend on cold, hard realities, not not echoes of past fading glories.

Mr. LOTT. Madam President, in this article, the author Oberg outlines the political instability of the Russian launch facilities into Kazakhstan. I already talked about how the American people would not like the idea of losing jobs because of Russian rockets, but also would their rockets be there and workable? He points out that only one of the four Proton launch pads is operational.

He states that the launch facility is "a walking corpse, already evacuated by most of its energetic veterans and now long abandoned by the Soviet support bureaucracies."

Do we want to put our space program at the mercy of these Russian launch capabilities when we do not even know—and it was cited earlier tonight what is going to be happening in Russia. No, that is not the answer. ASRM is the answer.

With regard to the cost involved, this is a classic example of penny-wise and pound-foolish and Senator SASSER, of Tennessee, uses this phrase in his letter supporting ASRM. He is not a Senator known for going along with a project just to go along with it. He has taken a firm stand for ASRM.

Why is it foolish? Not only would we lose the added performance, safety, and opportunities for international cooperation provided by ASRM, but we would spend more money terminating the program than we would completing the program. That is what causes American people to lose faith in us. We tell them we are going to do something, we spend their money, we get it about ready and then we say, "Well, we changed our mind, we are going to shut it down; sorry about the money you invested; sorry about the time; sorry about the jobs and, by the way, it is going to cost us more to close than it would to go forward to completion." They look at us and say: "How can you people do that?"

Senator HEFLIN, in a very excellent letter that he sent to Senator MIKULSKI, points out the cost savings. Just in case he did not have it printed in the RECORD, I ask unanimous consent that the explanation of this $2.5 billion savings over the next 10 years be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TALKING POINTS LONG VERSION

COST

ASRM increases Shuttle payload by 30%=less shuttle flights=reduced costs.

Proponents and opponents have differed on costing ASRM—"direct" v. "indirect" costs.

Only sensible way to examine cost is to compare costs to NASA with and without the ASRM

Cost of ASRM cancellation:

	Million
Contractor termination liabilities	$300
Space Station deployment	
−3 extra Shuttle flights	$225
−9 months schedule slip	$1050
RSRM v. ASRM cost difference (10 years)	$1350
Space Station operations require additional shuttle flights (10 years) ...	$1125
	Billions
Cancellation costs through 2000	$4.05
Remaining ASRM program costs	$1.6
SAVINGS from ASRM	$2.45

If ASRM is not used to launch the Space Station:

RSRM will still cost—over 10 years—$2.5 billion, while ASRM will cost $1.6 billion over the same period.

ASRM saves $900 million with this option.

Mr. LOTT. Madam President, finally, we do have a commitment to the people. We have a commitment to our foreign partners in this effort. But I have to tell you, I am here tonight on the behalf of the people of my State of Mississippi, too. We do need the jobs. We are the poorest State in the Nation. You are talking about jobs for men and women, black and white, that without this, they do not have a job.

And the poorest State in the Nation has already spent $60 million of its money for infrastructure, highways, improvement in schools. It has really excited the people. It has pulled them together, and they have done things on schools, roads, and airports that they would not have done otherwise. They did not ask for this.

We, the Federal Government, came to them and said, "Will you take it? Will you make the commitment? Will you make the improvements to do this job?" And the people said, "We'll do it," and they did it. They have lived up to their part of the deal. Now, are we going to walk away from them after they fulfilled their commitment. No, Madam President, this would be a major mistake. We should not pick apart our space program and we should not break our commitment to the American people, our international partners, or to the people in the area who fulfilled their part of the deal. Let us defeat this amendment.

I yield the floor.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I commend my distinguished colleague from Mississippi for his outstanding statement, and I also want to compliment the others who have spoken tonight on this amendment.

I think the quality of debate has been excellent and it has outlined the issue, described the points of view on both sides. But I think when we come down to it, the final question is: Can we run the risk of another *Challenger* disaster? If we do not go forward and use the safest, most reliable, most efficiently designed rocket motor for our space program, we are running the risk of another explosion where astronauts will be killed. We do not need to take that risk. We are building the best that our scientists and our engineers can design, and we are almost there.

This plant is almost completed and new motors are about to be available for the shuttle program.

So I urge Senators, as we vote tomorrow on this amendment, think of what is really at stake: The lives of those who have trained and who have become the world's most outstanding astronauts. The future of our manned space program is at stake, and I hope they will defeat this amendment and leave the money in the bill to complete this project.

Mr. FORD. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FORD. Madam President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT BY THE MAJORITY LEADER

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, after consultation with the Republican leader, pursuant to Public Law 93–415, as amended by Public Law 102–586, announces the appointment of Lisa Beecher, of Maine, to the Coordinating Council on Juvenile Justice and Delinquency Prevention, vice Ronald Costigan, resigned.

MORNING BUSINESS

Mr. FORD. Madam President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLINTON ADMINISTRATION TAKES A STAND ON METRIC CONVERSION

Mr. PELL. Madam President, while those of us in the Senate were at home meeting with our constituents, the Clinton administration took an important step in bringing this country into line with the rest of the world.

As many of my colleagues know, I have been a long-time champion of efforts to convert the United States to the metric system. Most recently, on June 8, 1993, I introduced Senate Joint Resolution 100, which affirms that conversion to the metric system would greatly benefit the United States.

When I introduced Senate Joint Resolution 100, I made the following statement:

> By actively promoting metric conversion, our Government would open the door for new markets and thereby help to create the new jobs this Nation so drastically needs. The fact is, U.S. businesses will have to think in metrics or eventually be left behind. It is that simple. And it is time for our Government to assume a leadership position on the metric issue, instead of passively waiting for market forces to reverse our archaic system of measurement.

In response to my letter to the President telling him of my interest in metric conversion, the Director of the White House Office of Science and Technology Policy, John H. Gibbons, wrote to me that the Clinton administration believes the Federal Government has an important role to play in the conversion to the metric system both in industry and in education.

Mr. Gibbons wrote that the administration believes:

The Federal Government has an important role to play. It must provide both a vision and a demonstrated commitment. It must advance our Nation's interests by encouraging U.S. industry as well as the educational community, to complete our conversion to the metric system. The result will be that we will all benefit from greater efficiency in industry and education.

I am very pleased the administration shares my view on the important role of the Federal Government in the metric conversion process.

Madam President, this is the first time any administration has said officially that the entire Federal Government has a role and responsibility in converting the United States to the metric system. It is also the first time an administration has talked about the role the education community can play in the conversion process. In the past, administrations have spoken only of citizens learning the metric system.

I congratulate the President for committing his administration and the entire Federal Government to the conversion process and I commend Mr. Gibbons' letter to my colleagues.

Madam President, I ask unanimous consent that the letter from John Gibbons, Director of the White House Office of Science and Technology Policy, be included in the CONGRESSIONAL RECORD at the close of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF SCIENCE AND TECHNOLOGY POLICY,
Washington, DC, August 18, 1993.

Hon. CLAIBORNE PELL,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter to the President about Senate Joint Resolution 100 and why it is important for the United States to use the metric system. I have been asked to respond to you and I am pleased to provide the following comments.

In his letter of April 6, 1993, that transmitted the 1992 annual metric progress report to the President, Secretary of Commerce Ron Brown stated that it is in the Nation's best interest for the Federal Government to encourage use of the metric system by U.S. industry. He explained that Federal encouragement of metric usage will provide an economic stimulus that will "enhance our competitive edge and create new jobs and opportunities for our citizens." We agree with you that by adopting the metric system U.S. industry will increase its exports and create new jobs.

We understand that U.S. industry's adopting the metric system is important because world markets are almost entirely metric, and, to be accepted in those markets, U.S. products must be metric also. Industry is becoming increasingly aware of this reality. Firms that have made the change to metric standards have found that it was worth the effort because their products gained global acceptance.

The Federal Government has an important role to play. It must provide both a vision and a demonstrated commitment. It must advance our Nation's interests by encouraging U.S. industry, as well as the educational community, to complete our conversion to the metric system. The result will be that we will all benefit from greater efficiency in industry and education.

In response to the current legislative mandate and Executive Order 12770, Federal agencies are making significant progress in converting their programs to metric units and in assisting firms to convert voluntarily. However, actions by the Federal Government alone may not be enough to achieve the goal. Other interested parties, such as state and local governments and the education community, must become more involved.

We appreciate your leadership on the subject of conversion to the metric system.

Sincerely,

JOHN H. GIBBONS, *Director.*

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Edwin R. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States a nomination which was referred to the Committee on Foreign Relations.

(The nomination received today is printed at the end of the Senate proceedings.)

REPORT ON MINE SAFETY AND HEALTH ACTIVITIES FOR FISCAL YEAR 1992—MESSAGE FROM THE PRESIDENT—PM 40

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources.

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.*

REPORT ON THE SAINT LAWRENCE SEAWAY DEVELOPMENT FOR FISCAL YEAR 1992—MESSAGE FROM THE PRESIDENT—PM 41

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Environment and Public Works.

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.*

REPORT ON THE NATIONAL SCIENCE FOUNDATION FOR FISCAL YEAR 1992—MESSAGE FROM THE PRESIDENT—PM 42

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources.

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.*

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

Under the authority of the order of the Senate of January 5, 1993, the Secretary of the Senate, on September 20, 1993, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolutions:

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";

H.R. 873. An act to provide for the consolidation and protection of the Gallatin Range; and

H.J. Res. 220. Joint resolution to designate the month of August as "National Scleroderma Awareness Month," and for other purposes.

The enrolled bills and joint resolutions were subsequently signed by the President pro tempore [Mr. BYRD] during the September 21, 1993 session of the Senate.

MESSAGES FROM THE HOUSE

At 11:50 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House insists upon its amendments to the bill (S. 714) to provide funding for the resolution of failed savings associations, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; that the following Members be the managers of the conference on the part of the House:

From the Committee on Banking, Finance and Urban Affairs, for consideration of the Senate bill, and the House amendment, and modifications committed to conference: Mr. GONZALEZ, Mr. NEAL of North Carolina, Mr. LAFALCE, Mr. VENTO, Mr. SCHUMER, Mr. FRANK of Massachusetts, Mr. KANJORSKI, Mr. KENNEDY, Mr. FLAKE, Mr. LEACH, Mr. MCCOLLUM, Mrs. ROUKEMA, Mr. BEREUTER, Mr. ROTH, and Mr. BAKER of Louisiana.

As additional conferees from the Committee on Government Operations, for consideration of section 13 of the Senate bill, and section 23 of the House amendment, and modifications committed to conference: Mr. CONYERS, Mrs. COLLINS of Illinois, Mr. ENGLISH of Oklahoma, Mr. CLINGER, and Mrs. MCCANDLESS.

As additional conferees from the Committee on the Judiciary, for consideration of sections 18 and 22 of the Senate bill, and sections 4 and 19 of the House amendment, and modifications committed to conference: Mr. BROOKS, Mr. HUGHES, Mr. BOUCHER, Mr. FISH, and Mr. GOODLATTE.

The message also announced that pursuant to the provisions of section 303(a) of Public Law 103–3, the Chair on behalf of the Speaker appoints the following as members to the Commission on Leave on the part of the House: Mrs. UNSOELD, and from private life, Ms. Pamela L. Egan of Helena, MT, and Ms. Ellen Bravo of Milwaukee, WI.

At 4 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2608. An act to make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program.

The message also announced that pursuant to the provisions of section 635(b) of Public Law 102–393, the Speaker appoints to the Commission on the Social Security "Notch" Issue the following individuals from private life on the part of the House: Mr. James C. Corman of McLean, VA; and Ms. Carroll L. Estes of San Francisco, CA.

The message further announced that pursuant to section 635(b)(5) of Public Law 102–393, the Minority Leader appoints to the Commission on the Social Security "Notch" Issue the following individuals from private life on the part of the House: Mr. Barber Conable of Alexander, NY; and Mr. Arthur L. Singleton of Dunnsville, VA.

MEASURES REFERRED

The following measure, previously received from the House of Representatives, was read the first and second times by unanimous consent and referred as indicated:

H.R. 2139. An act to amend title 44, United States Code, to authorization appropriations for the National Historical Publications and Records Commission; to the Committee on Governmental Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on September 21, 1993 he had presented to the President of the United States, the following enrolled bills and joint resolutions:

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."

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1529. A communication 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; to the Committee on Armed Services.

EC–1530. A communication from the Chief of Legislative Affairs, Department of the Navy, transmitting, pursuant to law, notice of the intention to transfer a vessel to the Government of Morocco; to the Committee on Armed Services.

EC–1531. A communication from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, and the National Defense Authorization Act for fiscal years 1992 and 1993; to the Committee on Armed Services.

EC–1532. A communication from the Acting Comptroller General of the United States, transmitting, pursuant to law, a report of the financial audit of the Panama Canal Commission's financial statements for fiscal years 1991 and 1992; to the Committee on Armed Services.

EC–1533. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, a report relative to multifamily housing; to the Committee on Banking, Housing, and Urban Affairs.

EC–1534. A communication from the Acting Director of the Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, a report entitled "Responsibilities Under the Community Reinvestment Act"; to the Committee on Banking, Housing, and Urban Affairs.

EC–1535. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, a report of the National Transportation Safety Board's fiscal year 1995 submission to the Office of Management and Budget; to the Committee on Commerce, Science, and Transportation.

EC–1536. A communication from the Deputy Associate Director for Compliance (Royalty Management Program), Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report of the intention to make refunds of offshore lease revenues where a refund or recoupment is appropriate; to the Committee on Energy and Natural Resources.

EC–1537. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report on emergency vehicle weight restrictions on interstate highways; to the Committee on Environment and Public Works.

EC–1538. A communication from the Secretary of Commerce, transmitting, pursuant to law, the report of the activities of the Economic Development Administration for fiscal year 1992; to the Committee on Environment and Public Works.

EC–1539. A communication from the Acting Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, a report entitled "Chehalis River Basin Fishery Resources: Status, Trends, and Restoration Goals"; to the Committee on Environment and Public Works.

EC–1540. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on the major issues associated with the North American Free Trade Agreement; to the Committee on Finance.

EC–1541. A communication from the Administrator of the Agency For International Development, transmitting, pursuant to law, the report of the Development Assistance Program allocations for fiscal year 1993; to the Committee on Foreign Relations.

EC–1542. A communication from the Assistant Secretary (Legislative Affairs), Department of State, a report of a Presidential determination relative to the Cooperative Republic of Guyana; to the Committee on Foreign Relations.

EC–1543. A communication from the Assistant Secretary (Legislative Affairs), Department of State, a report of a Presidential determination relative to Mozambican refugees

and returnees; to the Committee on Foreign Relations.

EC–1544. A communication from the Assistant Secretary (Legislative Affairs), Department of State, a report on the nuclear reactor safety situation in eastern Europe and the former Soviet Union; to the Committee on Foreign Relations.

EC–1545. A communication from the Plan Administrator of the Eighth Farm Credit District Employee Benefit Trust, transmitting, pursuant to law, a report of financial statements and independent auditors' report for calendar years 1991 and 1992; to the Committee on Governmental Affairs.

EC–1546. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, a report of proposed regulations relative to defining membership; to the Committee on Rules and Administration.

EC–1547. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, a report relative to defining membership; to the Committee on Rules and Administration.

EC–1548. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report of the financial audit of the Capitol Preservation Fund as of March 31, 1991 and March 31, 1992; to the Committee on Rules and Administration.

EC–1549. A communication from the Secretary of Veterans' Affairs, transmitting, a draft of proposed legislation entitled "Veterans' Appeals Improvement Act of 1993"; to the Committee on Veterans' Affairs.

EC–1550. A communication from the Secretary of Labor, transmitting, pursuant to law, a report of employment and training programs for veterans during the period July 1, 1991 through June 30, 1992 and fiscal year 1992; to the Committee on Veterans' Affairs.

EC–1551. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report entitled "Final Engineering Report: Mni Wiconi Rural Water Supply Project"; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

Under the authority of the order of the Senate of September 15, 1993, the following reports of committees were submitted on September 16, 1993:

By Mr. PELL, from the Committee on Foreign Relations, without amendment:

S. 1467. An original bill to authorize appropriations for foreign assistance programs, and for other purposes (Rept. No. 103–144).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. CRAIG:

S. 1475. A bill to revise the boundaries of the Hagerman Fossil Beds National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CRAIG:

S. 1476. A bill to revise the boundaries of the Craters of the Moon National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. McCAIN:

S. 1477. A bill to provide for a 2-year Federal budget cycle, and for other purposes; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one committee reports, the other committee have 30 days to report or be discharged.

By Mr. PRYOR (for himself, Mr. LUGAR, Mr. JOHNSTON, Mr. HEFLIN, Mrs. KASSEBAUM, Mr. COCHRAN, Mr. NICKLES, Mr. DOLE, Mr. COATS, Mr. HELMS, and Mr. BREAUX):

S. 1478. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to ensure that pesticide tolerances adequately safeguard the health of infants and children, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. McCAIN:

S. 1477. A bill to provide for a 2-year Federal budget cycle, and for other purposes; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one committee reports, the other committee have 30 days to report or be discharged.

BIENNIAL BUDGET LEGISLATION

• Mr. McCAIN. Mr. President, today I am introducing legislation to create a biennial budget process. Simply, instead of the current process where the Congress passes budgets and appropriates on a annual basis, we will enact a budget and appropriate every 2 years.

Twenty States now use biennial budgets. This budget technique has proven to be very successful.

The current process is both exceedingly time consuming and very inefficient. Further, due to our annual ability to completely rewrite the budget, the Congress has used this opportunity to micromanage Federal spending and ignore long-term budgetary goals.

By adopting a 2-year budget, the Congress will have more time to develop and implement long-term budget plans. Additionally, a 2-year budget process will give the Congress sufficient time to thoroughly evaluate programs and spending. This bill will, however, allow the Congress to retain the power to make small adjustments in off years if revenues or expenditures deviate widely from forecasts.

This idea is not new. Congressman Leon Panetta, currently serving the administration as the Director of the Office of Management and Budget, introduced the first biennial budgeting bill in 1977, and many have been offered since that time. Currently Congressman REGULA has introduced companion legislation in the House of Representatives.

Additionally, the Vice President, in his National Performance Review, "Creating a Government that Works Better and Costs Less," commonly referred to as "RE-GO," strongly endorses the concept of biennial budgeting. The Vice President states:

We recommend that Congress establish biennial budget resolutions and appropriations and multiyear authorizations.

Vice President GORE goes on to state:

Biennial budgeting will not make our budget decisions easier, for they are shaped by competing interests and priorities. But it will eliminate an enormous amount of busy work that keeps us from evaluating programs and meeting customer needs.

The Vice President could not be more correct.

Mr. President, I hope the Senate will act on the Vice President's recommendation. It is time we made the budget process more streamlined and more efficient. Biennial budgeting is an important step in that direction.•

By Mr. PRYOR (for himself, Mr. LUGAR, Mr. JOHNSTON, Mr. HEFLIN, Mrs. KASSEBAUM, Mr. COCHRAN, Mr. NICKLES, Mr. DOLE, Mr. COATS, Mr. HELMS, and Mr. BREAUX):

S. 1478. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to ensure that pesticide tolerances adequately safeguard the health of infants and children, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

THE FOOD QUALITY PROTECTION ACT OF 1993

Mr. PRYOR. Mr. President, I am here today, along with my colleague from Indiana, Senator LUGAR, and others to introduce the Food Quality Protection Act of 1993. This bill offers a comprehensive and balanced approach to the regulation of pesticides used on food, which, I am proud to say, has been endorsed by the director of the National Center for Agricultural Law Research and Information at the University of Arkansas.

There is widespread recognition of the need to reform and modernize the provisions governing the use of pesticides in both the Federal Insecticide, Fungicide, and Rodenticide Act [FIFRA] and the Federal Food, Drug, and Cosmetic Act [FFDCA]. Our legislation provides a good vehicle to accomplish that goal while ensuring that the United States will continue to have the world's most safe and abundant food supply.

Although this measure is not perfect, I believe this approach is the best point of departure in the ongoing debate on food safety. For many years now, there has been only one position presented to the Senate in legislative form. Accordingly, in the interest of full and open debate with all views represented, we are introducing our bill at this time.

Mr. President, in 1987, a distinguished committee of the National Academy of Sciences [NAS] recommended in the Delaney Paradox Report that a single negligible-risk standard, and not a zero-risk standard, should govern tolerances for pesticide residues in both raw commodities and processed food. The NAS concluded

that a consistently applied negligible-risk standard would greatly reduce total dietary exposure to hazardous pesticides and would permit the EPA to focus its limited resources on regulating pesticides that pose significant risks. The NAS also recognized that the benefits of pesticide uses are an important consideration in tolerance decisions.

The bill that we are introducing today would implement the NAS recommendations, integrate the pesticide tolerance provisions of the FFDCA and provide a logical and consistent framework for pesticide tolerance regulation in the coming decades.

In a separate NAS study, "Pesticides in the Diets of Infants and Children," published in June of this year, the NAS made several recommendations to improve the way pesticide tolerances are set in order to protect infants and children. Children's diets physiologically differ from adults in ways that could make them more vulnerable to exposure of pesticide residues. The bill we introduce today would direct the EPA, the FDA, and the USDA to implement the recommendations of this important report. By requiring the agencies to implement the NAS recommendations, the bill will help provide certainty that children will bear no undue risk from pesticides in their diets.

Experts in the field have suggested that the pesticide tolerance provisions of the FFDCA are outdated and unnecessarily complex. There have been dramatic advances in analytical chemistry, toxicological testing, and risk assessment which were unforeseen at the time current laws were enacted. The bill we introduce today would simplify the legal standards governing pesticide tolerances and give EPA flexibility to consider evolving scientific principles when making food safety decisions.

A recent decision by the U.S. Court of Appeals for the Ninth Circuit in Les versus Reilly has focused increased attention on the need to reform EPA's regulation of pesticide tolerances. The ninth circuit held that the Delaney clause of the food additive provision of the FFDCA prohibits EPA from authorizing minimum levels of carcinogenic pesticides in processed food. Following the ninth circuit decision, EPA released a list of 35 pesticides that could be outlawed under EPA's current pesticide tolerance policies.

The bill that we are introducing today would break the legal logjam created by the ninth circuit decision and would subject raw commodities and processed food to the same safety standard for pesticide residues. The bill would provide a comprehensive, long-term solution to the difficult food safety issues that face EPA. It is important to recognize, however, that EPA has ample existing authority to reform its pesticide tolerance policies to permit continued use of valuable pesticides that pose negligible risks.

Our balanced approach to pesticide tolerance regulation would substantially improve current law and would give EPA necessary flexibility to employ reasonable-risk estimates and to preserve valuable minor use pesticides. It would streamline the pesticide cancellation process, and update and improve regulation of pesticide residues in food. It would provide a uniform negligible-risk standard for pesticide residues in both raw and processed food, as recommended by the NAS. It would assure that EPA employs actual pesticide use and residue data and reasonable assumptions in conducting risk assessments, it would reconfirm EPA's duty to conduct risk-benefit evaluations in setting pesticide tolerances, and would mandate national uniformity of pesticide tolerances that meet current EPA requirements.

I asked the National Center for Agricultural Law Research and Information at the University of Arkansas to review this legislation and compare it with the only other position that has been presented to the Senate. The center has done so and, I am happy to report, has endorsed the legislation which we are introducing today.

Mr. President, let me make a very important point. The Clinton administration has addressed this difficult and many times emotional issue head-on. Almost as soon as he came to office, President Clinton asked the appropriate agencies to form an interagency working group to devise the administration's solution to these very serious problems. Although they have not unveiled details, I understand that later today, administration officials will explain their position in a hearing on the House side but that actual legislation will not be presented. It is also my understanding that the administration's approach is very reasonable and balanced and I look forward to reviewing it.

I am committed to working with President Clinton and my colleagues in Congress to ultimately reach a solution to this dilemma. For the safety of our food and the future of agribusinesses, it is time to act. We are fortunate to have an administration in place that understands the urgency and has the courage and commitment to seek a resolution.

Mr. President, I ask that a copy of the bill be placed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1478

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 "Food Quality Protection Act of 1993".

TITLE I—DATA COLLECTION AND PROCEDURES TO ENSURE THAT TOLERANCES SAFEGUARD THE HEALTH OF INFANTS AND CHILDREN

SEC. 101. IMPLEMENTATION OF NRC REPORT.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency, the Secretary of Agriculture, and the Secretary of Health and Human Services shall coordinate the development and implementation of procedures to ensure that pesticide tolerances adequately safeguard the health of infants and children, based on the conclusions and recommendations contained in the report entitled "Pesticides in the Diets of Infants and Children" of the National Research Council of the National Academy of Sciences.

(b) PROCEDURES.—To the extent practicable, the procedures referred to in subsection (a) shall include—

(1) collection of data on food consumption patterns of infants and children;

(2) improved surveillance of pesticide residues, including guidelines for the use of comparable analytical and standardized reporting methods, the increased sampling of foods most likely consumed by infants and children, and the development of more complete information on the effects of food processing on levels of pesticide residues;

(3) toxicity testing procedures that specifically evaluate the vulnerability of infants and children;

(4) methods of risk assessment that take into account unique characteristics of infants and children; and

(5) other appropriate measures considered necessary by the Administrator to ensure that pesticide tolerances adequately safeguard the health of infants and children.

SEC. 102. COLLECTION OF PESTICIDE USE INFORMATION.

(a) IN GENERAL.—The Secretary of Agriculture shall collect data of Statewide or regional significance on the use of pesticides to control pests and diseases of major crops and crops of dietary significance, including fruits and vegetables.

(b) COLLECTION.—The data shall be collected by surveys of farmers or from other sources offering statistically reliable data.

(c) COORDINATION.—The Secretary shall, as appropriate, coordinate with the Administrator of the Environmental Protection Agency in the design of the surveys and make available to the Administrator the aggregate results of the surveys to assist the Administrator in developing exposure calculations and benefits determinations with respect to pesticide regulatory decisions.

SEC. 103. INTEGRATED PEST MANAGEMENT.

Section 28(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-3(c)) is amended—

(1) by striking "(c) INTEGRATED PEST MANAGEMENT.—The Administrator," and inserting the following:

"(c) INTEGRATED PEST MANAGEMENT.—

"(1) IN GENERAL.—The Administrator,"; and

(2) by adding at the end the following new paragraph:

"(2) JOINT RESEARCH AND DEVELOPMENT.—The Administrator and the Secretary of Agriculture shall research, develop, and disseminate information concerning integrated pest management techniques and other pest control methods that enable producers to reduce or eliminate applications of pesticides that pose a greater than negligible dietary risk to humans, with a special focus on crops critical to a balanced, healthy diet and that are considered as minor crops in terms of acreage produced.".

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TITLE II—CANCELLATION AND SUSPENSION

SEC. 201. REFERENCE.

Whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

SEC. 202. CANCELLATION.

Subsection (b) of section 6 (7 U.S.C. 136d(b)) is amended to read as follows:

"(b) CANCELLATION AND CHANGE IN CLASSIFICATION OR OTHER TERMS OR CONDITIONS OF REGISTRATION.—

"(1) AUTHORITY.—Notwithstanding any other provision of this Act, the Administrator may, by use of informal rulemaking under this subsection, prescribe requirements regarding the composition, packaging, and labeling of a pesticide (or a group of pesticides containing a common active or inert ingredient), may classify the pesticide, or may prohibit the registration or continued registration of the pesticide for some or all purposes, to the extent necessary to ensure that the pesticide, when used in accordance with widespread and commonly recognized practice, does not generally cause unreasonable adverse effects on the environment.

"(2) BASIS FOR RULE.—

"(A) The Administrator may not initiate a rulemaking under this subsection unless the rulemaking is based on a validated test or other significant evidence raising a prudent concern that the pesticide causes unreasonable adverse effects on the environment.

"(B)(i) The Administrator shall submit, to a scientific peer review committee established by the Administrator, the validated test or other significant evidence on which the Administrator proposes to base a rulemaking under paragraph (1).

"(ii) The scientific peer review committee shall provide written recommendations to the Administrator as to whether the test or evidence reviewed satisfies the criteria under subparagraph (A) for initiating a rulemaking under paragraph (1).

"(iii) The scientific peer review committee shall consist of employees of or consultants to the Environmental Protection Agency who have not been involved in a previous analysis of the validated test or significant evidence presented to the committee and who are experts in the physical or biological disciplines involved in the proposed rulemaking.

"(3) PRENOTICE PROCEDURES.—

"(A) The Administrator may not initiate a rulemaking under paragraph (1) until the Administrator has provided, to the registrant of each affected pesticide, a notice that includes a summary of the validated test or other significant evidence on which the Administrator proposes to base the rulemaking and the basis for a determination that the test or evidence raises a prudent concern that the pesticide causes unreasonable adverse effects on the environment. A registrant may respond to a notice provided under this subparagraph not later than 30 days after receipt of the notice.

"(B) At the same time as the Administrator provides the notice to a registrant of the pesticide under subparagraph (A), the Administrator shall also provide the notice to the Secretary of Agriculture and the Secretary of Health and Human Services. If an agricultural commodity is affected, on receipt of the notice, the Secretary of Agriculture shall prepare an analysis of the benefit and use of the pesticide and provide the analysis to the Administrator.

"(4) ADVANCE NOTICE TO PUBLIC.—

"(A) After receiving the recommendation of the peer review committee established under paragraph (2)(B), together with any comments submitted by the Secretary of Agriculture, the Secretary of Health and Human Services, and a registrant, the Administrator shall—

"(i) issue an advance notice of proposed rulemaking; or

"(ii) issue a notice of a proposed decision not to initiate a rulemaking under paragraph (1).

"(B) The Administrator shall publish the notice in the Federal Register and provide a period of not less than 60 days for comment on the notice. The notice shall contain a statement of the basis and purpose of the notice and a summary of—

"(i) the factual data on which the notice is based;

"(ii) the major scientific assumptions underlying the notice; and

"(iii) the notice provided under paragraph (3) and any significant comments received from a registrant, the Secretary of Agriculture, and the Secretary of Health and Human Services.

"(C) If the Administrator, after considering any comments received, decides not to issue a notice of proposed rulemaking, the Administrator shall publish in the Federal Register a notice setting forth the decision and the basis for the decision.

"(5) DOCKET.—

"(A) For each rulemaking under paragraph (1), the Administrator shall establish a docket.

"(B) The docket shall include a copy of—

"(i) the notice provided under paragraph (3);

"(ii) any notice issued under paragraph (4);

"(iii) the notice of proposed rulemaking issued under paragraph (6);

"(iv) each timely comment filed with the Administrator;

"(v) the report of the Scientific Advisory Panel under paragraph (8);

"(vi) a record of each hearing held by the Administrator in connection with the rulemaking; and

"(vii) the final rule or decision to withdraw the rule.

"(C) Information in the docket shall be made available to the public consistent with section 10.

"(D) No factual material that has not been entered into the docket in a timely manner may be relied on by the Administrator in issuing a final rule or in withdrawing a proposed rule or by a person in a judicial review proceeding, except for—

"(i) information of which the Administrator may properly take official notice; or

"(ii) information of which a court may properly take judicial notice.

"(6) NOTICE OF PROPOSED RULEMAKING.—

"(A) Not less than 60 days after an advance notice of proposed rulemaking, except as provided in paragraph (14), the Administrator may issue a notice of proposed rulemaking. The notice of proposed rulemaking shall include a statement of the basis and purpose of the proposed rulemaking, a request for any additional data needed, and a bibliography of all significant scientific data and studies on which the proposed rule is based. The statement of basis and purpose shall include a summary of—

"(i) the factual data on which the proposed rule is based;

"(ii) the major scientific assumptions, legal interpretations, and policy considerations underlying the proposed rule;

"(iii) a summary of available risk-benefit information, including benefits and use information as provided by the Secretary of Agriculture; and

"(iv) the analysis and tentative conclusions of the Administrator regarding the balancing of the risks and benefits.

"(B)(i) A registrant of the pesticide and a person who submits comments on the proposed rule shall make a report to the Administrator of all scientific data and studies possessed by the person concerning the risks and benefits of the pesticide that is the subject of the rulemaking that were not included in the bibliography included in the notice required under subparagraph (A).

"(ii) If, after the date of the report made under clause (i), the registrant or the person receives additional scientific data or studies pertinent to the rulemaking that were not included in the bibliography, the person shall make a report of the scientific data and studies to the Administrator promptly after receipt.

"(iii) If the Administrator receives reports containing additional data concerning risks or benefits, the Administrator shall revise the bibliography to reflect the data and make the revised bibliography available to the public.

"(C)(i) The Administrator shall provide a comment period of not less than 90 days after the publication of the notice of proposed rulemaking.

"(ii) During the period, a person may submit comments, data, or documentary information on the proposed rule.

"(iii) Promptly on receipt by the Administrator, all written comments and documentary information on the proposed rule received from a person for inclusion in the docket during the comment period, shall be placed in the docket.

"(D)(i) At the same time as the Administrator publishes notice under subparagraph (A), the Administrator shall provide the Secretary of Agriculture and the Secretary of Health and Human Services with a copy of the proposed rule.

"(ii) Not later than 90 days after the publication of the notice of proposed rulemaking, the Secretary of Agriculture and the Secretary of Health and Human Services may provide comments on the proposed rule.

"(iii) If an agricultural commodity is affected, the Secretary of Agriculture shall provide to the Administrator an analysis of the impact of the proposed action on the domestic and global availability and prices of agricultural commodities and retail food prices and any associated societal impacts (including impacts on consumer nutrition and health and low-income consumers).

"(7) INFORMAL HEARING.—

"(A)(i) A person who has submitted a comment may, not later than 15 days after the close of the comment period, request the Administrator to conduct an informal hearing on questions of fact pertaining to the proposed rule or comments on the rule.

"(ii) The Administrator shall—

"(I) on receipt of the request, schedule an informal hearing of not to exceed 20 days duration; and

"(II) not later than 60 days after the close of the comment period, conduct the hearing.

"(iii) The Administrator shall publish the time, place, and purpose of the hearing in the Federal Register.

"(iv) The informal hearing shall be limited to addressing questions of fact raised by materials in the docket.

"(v) A transcript shall be made of any oral presentation, discussion, or debate and included in the docket.

"(B) The Administrator shall appoint a presiding officer who shall have the authority to administer oaths, regulate the course of the hearing, conduct prehearing conferences, schedule presentations, and exclude irrelevant, immaterial, or unduly repetitious evidence.

"(C)(i) The presiding officer shall conduct the informal hearing in a manner that encourages discussion and debate on questions of fact regarding the docket.

"(ii) The Administrator shall designate 1 or more employees of the Environmental Protection Agency to participate in the hearing.

"(iii) A person who submitted a comment on the proposed rule may participate in the hearing and shall be entitled to present evidence and argument to support the position of the person or rebut a contrary position and may choose to present materials in oral or written form.

"(8) REVIEW BY SCIENTIFIC ADVISORY PANEL.—

"(A) At the time the Administrator issues a notice of proposed rulemaking under paragraph (6), the Administrator shall provide a copy of the notice to the Scientific Advisory Panel established under section 25(d) (referred to in this paragraph as the 'Panel').

"(B) If a person submits comments under paragraph (6) in opposition to the proposed rule, the Administrator shall request the comments, evaluations, and recommendations of the Panel as to the impact on health and the environment of the proposed rule and on any disputed issues of fact or scientific policy that appear to be of significance in the rulemaking.

"(C) The Panel may hold a public hearing to discuss the proposed rule.

"(D) The Panel shall provide a report to the Administrator not later than 30 days after the close of the comment period (or, if a hearing has been requested under paragraph (7), not later than 30 days after the end of the hearing).

"(E) The Administrator shall allow a reasonable time for written public comment on the report of the Panel. A copy of the report of the Panel and any comments on the report shall be included in the rulemaking docket.

"(9) FINAL ACTION.—

"(A) After considering all material in the docket, the Administrator shall publish in the Federal Register a final rule or a withdrawal of the proposed rule.

"(B) The Administrator may not prohibit a use of a pesticide if an alternative requirement will ensure that the pesticide, when used in accordance with widespread and commonly recognized practice, will not generally cause unreasonable adverse effects on the environment.

"(C) In taking a final action, the Administrator shall take into account the impact of the action on production and prices of agricultural commodities, retail food prices, and otherwise on the agricultural economy.

"(D) The final rule or withdrawal of the proposed rule shall be accompanied by a statement that—

"(i) explains the reasons for the action;

"(ii) responds to any comments made by the Secretary of Agriculture or the Secretary of Health and Human Services, and to any report of the Scientific Advisory Panel established under section 25(d);

"(iii) responds to each significant comment contained in the docket; and

"(iv) in the case of a final rule—

"(I) explains the reason for any major difference between the final rule and the proposed rule;

"(II) describes the impact of the final rule on production and prices of agricultural commodities, retail food prices, and otherwise on the agricultural economy; and

"(III) explains any significant disagreement the Administrator may have with any comment, evaluation, or recommendation contained in the report under paragraph (8), the benefits and use information described in paragraph (6)(A)(iii), or the analysis described in paragraph (6)(D) as the analysis bears on the final rule.

"(E) A final rule issued under this subsection shall become effective on the date of the publication of the final rule in the Federal Register.

"(10) MODIFICATION OR CANCELLATION.—

"(A)(i) Subject to clause (ii), a final rule shall state any requirement, classification, or prohibition imposed by the rule, and shall state that each affected registrant shall have a 30-day period from the date of the publication of the rule in the Federal Register to apply for an amendment to the registration to comply with the rule or to request voluntary cancellation of the registration.

"(ii) If the rule unconditionally prohibits all uses of a pesticide, the rule may provide that cancellation of the registration of the pesticide is effective beginning on the date of the publication of the rule.

"(iii) The final rule may prohibit or limit distribution or sale by the registrant of the affected pesticide to any other person in a State during the 30-day period.

"(B) Notwithstanding any other provision of this Act, if an application for an amendment to the registration to make the registration comply with a rule issued under subparagraph (A) is not submitted within the 30-day period, the Administrator may issue and publish in the Federal Register an order canceling the registration, effective beginning on the date of the publication of the order in the Federal Register.

"(11) DENIAL OF APPLICATIONS.—Notwithstanding any other provision of this Act, no application for initial or amended registration of a pesticide under section 3 or 24(c) may be approved if the registration would be inconsistent with a rule in effect under this subsection.

"(12) AMENDMENT OF RULE.—

"(A) A registrant, or other interested person with the concurrence of the registrant, may petition for the amendment or revocation of a rule that has been issued under this subsection.

"(B) The petition shall state the factual material and argument that form the basis for the petition.

"(C) The Administrator shall publish a notice of the petition in the Federal Register and allow a 60-day comment period on the petition.

"(D) Not later than 180 days after publication of the notice, the Administrator shall determine whether to deny the petition or to propose to amend or revoke the rule, and publish the determination and the basis for the determination in the Federal Register.

"(E) In making the determination, the Administrator shall give due regard to—

"(i) the desirability of finality;

"(ii) the opportunity that the petitioner had to present the factual material and argument in question in the prior rulemaking proceeding; and

"(iii) any new evidence submitted by the petitioner.

"(F) If the Administrator proposes to amend or revoke the rule, the procedures established by paragraph (1) and paragraphs (6) through (9) shall apply.

"(G) A denial of a petition shall be judicially reviewable as provided in paragraph (13).

"(13) JUDICIAL REVIEW.—A decision not to initiate a rulemaking published under paragraph (4), a final rule or a withdrawal of a proposed rule published under paragraph (9), or a denial of a petition under paragraph (12) shall be judicially reviewable in the manner specified by section 16(b)(2).

"(14) EXCEPTION TO REQUIREMENTS.—If the Administrator finds it is necessary to issue a suspension order under subsection (c), the Administrator may waive the requirements of paragraphs (3) and (4).".

SEC. 203. PESTICIDES IN REVIEW.

If the Administrator of the Environmental Protection Agency, on or before January 1, 1993, publishes a document instituting a special review proceeding or public interim administrative review proceeding with respect to a pesticide or an active ingredient of a pesticide, the Administrator may, in lieu of proceeding under section 6(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (as amended by section 202 of this Act), elect to continue the review proceeding and, on completion of the proceeding, take such action as is warranted in accordance with section 3(c)(6) and subsections (b) and (d) of section 6 of the Federal Insecticide, Fungicide, and Rodenticide Act (as in effect on the day before the date of enactment of this Act).

SEC. 204. SUSPENSION.

(a) ORDER.—Section 6(c)(1) (7 U.S.C. 136d(c)(1)) is amended by striking the second sentence and inserting the following new sentence: "Except as provided in paragraph (3), no order of suspension may be issued under this subsection unless the Administrator has issued, or at the same time issues, a proposed rule under subsection (b).".

(b) EMERGENCY ORDER.—Section 6(c)(3) (7 U.S.C. 136d(c)(3)) is amended by inserting after the first sentence the following new sentence: "The Administrator may issue an emergency order under this paragraph before issuing a proposed rule under subsection (b), if the Administrator proceeds expeditiously to issue a proposed rule.".

SEC. 205. TOLERANCE REEVALUATION AS PART OF REREGISTRATION.

Section 4(g)(2) (7 U.S.C. 136a–1(g)(2)) is amended by adding at the end the following new subparagraph:

"(E) As soon as the Administrator has sufficient information with respect to the dietary risk of a particular active ingredient, but in any event no later than the time the Administrator makes a determination under subparagraph (C) or (D) with respect to a pesticide containing a particular active ingredient, the Administrator shall—

"(i) reassess each associated tolerance and exemption from the requirement for a tolerance issued under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a);

"(ii) determine whether the tolerance or exemption meets the requirements of such Act;

"(iii) determine whether additional tolerances or exemptions should be issued;

"(iv) publish in the Federal Register a notice setting forth the determinations made under this subparagraph; and

"(v) commence promptly such proceedings under this Act and section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a) as are warranted by the determinations.".

SEC. 206. SCIENTIFIC ADVISORY PANEL.

Section 25(d) (7 U.S.C. 136w(d)) is amended—

(1) by striking "(d) SCIENTIFIC ADVISORY PANEL.—The Administrator shall" and inserting the following:

"(d) SCIENTIFIC ADVISORY PANEL.—

"(1) IN GENERAL.—The Administrator shall"; and

(2) by adding at the end the following new paragraph:

"(2) SCIENCE REVIEW BOARD.—

"(A) There is established a Science Review Board to consist of 60 scientists who shall be available to the Scientific Advisory Panel to assist in reviews conducted by the Panel.

"(B) The Scientific Advisory Panel shall select the scientists from 60 nominations submitted by each of the National Science Foundation and the National Institutes of Health.

"(C) A member of the Board shall be compensated in the same manner as a member of the Panel.".

SEC. 207. CONFORMING AMENDMENTS.

(a) Paragraph (6) of section 3(c) (7 U.S.C. 136a(c)(6)) is amended to read as follows:

"(6) DENIAL OF APPLICATION FOR REGISTRATION.—

"(A)(i) Except as provided in subparagraph (B), if the Administrator proposes to deny an application for registration because the application does not satisfy the requirements of paragraph (5), the Administrator shall notify the applicant of the proposal and the reasons for the denial (including the factual basis of the proposal).

"(ii) Unless the applicant makes the necessary corrections to the application and notifies the Administrator of the corrections during the 30-day period beginning on the day after the date the applicant receives the notice, or during the period the applicant submits a request for a hearing, the Administrator may issue an order denying the application.

"(iii) If during the period referred to in clause (ii), the Administrator does not receive the corrections to the application or a request for a hearing, the Administrator may issue an order denying the application.

"(iv) The order denying the application shall be published in the Federal Register and shall not be subject to judicial review.

"(v) If during the period referred to in clause (ii), the Administrator receives a request for a hearing, a hearing shall be conducted under section 6(d).

"(vi) If a hearing is held, a decision after completion of the hearing shall be final and shall be subject to judicial review under section 16(b)(1).

"(B)(i) The Administrator may deny an application for registration because the application does not comply with the requirements of a rule issued under section 6(b).

"(ii) The Administrator shall notify the applicant of the denial.

"(iii) The notice shall explain why the application does not comply with the requirements and shall state that the applicant may petition to amend or revoke the rule under section 6(b)(12).".

(b) Section 3(c) (7 U.S.C. 136a(c)) is amended by striking paragraph (8).

(c) Section 3(d) (7 U.S.C. 136a(d)) is amended—

(1) in paragraph (1)(A), by striking "on the initial classification and registered pesticides" and inserting "under section 6(b). A registered pesticide"; and

(2) in paragraph (2), by striking all that follows "on the environment," and inserting "the Administrator may initiate a proceeding under section 6(b).".

(d) Section 4(e)(3)(B)(iii)(III) (7 U.S.C. 136a-1(e)(3)(B)(iii)(III)) is amended—

(1) by striking "section 6(d), except that the" and inserting "section 6(d). The"; and

(2) by inserting after "guidelines." the following new sentence: "If a hearing is held, a decision after completion of the hearing shall be final.".

(e) Section 6(c)(4) (7 U.S.C. 136d(c)(4)) is amended by striking "Section 16 of this Act" and inserting "section 16(b)(1)".

(f) Section 6(d) (7 U.S.C. 136d(d)) is amended—

(1) by striking the first sentence and inserting the following new sentence: "If a hearing is requested pursuant to section 3(c)(2)(B)(iv), 3(c)(6), or 4(e)(3)(B)(iii)(III), or subsection (c)(2) or (e)(2), the hearing shall be held for the purpose of receiving evidence relevant and material to the issues raised by the request for the hearing."; and

(2) by striking all that follows the eighth sentence and inserting the following new sentence: "A hearing under this subsection shall be held in accordance with sections 554, 556, and 557 of title 5, United States Code. As soon as practicable after the completion of the hearing, the Administrator shall issue a final order setting forth the decision of the Administrator. The order and decision shall be based only on substantial evidence of the record of the hearing, shall set forth detailed findings of fact on which the order is based, and shall be subject to judicial review under section 16(b)(1).".

(g) Section 16(a) (7 U.S.C. 136n(a)) is amended by inserting after "a hearing" the following: "or a proceeding under section 6(b)".

(h) Section 16(b) (17 U.S.C. 136n(b)) is amended—

(1) by striking "(b) REVIEW BY COURT OF APPEALS.—In the case of" and inserting the following:

"(b) REVIEW BY COURT OF APPEALS.—

"(1) REVIEW OF CERTAIN ORDERS.—In the case of";

(2) in the last sentence of paragraph (1) (as so designated), by striking "under this section" and inserting "under this paragraph"; and

(3) by adding at the end the following new paragraph:

"(2) REVIEW OF CERTAIN RULES.—

"(A) In the case of actual controversy as to the validity of a rule issued by the Administrator under section 6(b)(9), a decision by the Administrator under paragraph (4) or (9) of section 6(b) not to issue a proposed rule or to withdraw a proposed rule, or a denial of a petition to revoke or amend a final rule under section 6(b)(12), a person who will be adversely affected by the rule or decision and who has filed comments in the proceeding leading to the rule or decision may obtain judicial review by filing a petition in the United States court of appeals for the circuit in which the person resides or has a place of business, not later than 60 days after the entry of the order.

"(B) A copy of the petition shall be transmitted to the Administrator or an officer designated by the Administrator.

"(C) On receipt of the copy of the petition, the Administrator shall file in court the record of the proceedings on which the Administrator based the rule or decision, as provided in section 2112 of title 28, United States Code.

"(D) On the filing of the petition, the court shall have exclusive jurisdiction to affirm or set aside the rule or decision in whole or in part.

"(E) The standard of review shall be the standard set forth in section 706 of title 5, United States Code.

"(F) The judgment of the court under this paragraph shall be final, subject to review by the Supreme Court on certiorari or certification as provided in section 1254 of title 28, United States Code.

"(G) The commencement of proceedings under this section shall not, unless specifically ordered by the court to the contrary, operate as a stay of an order.".

(i) Section 25(a) (7 U.S.C. 136w(a)) is amended by adding at the end the following new paragraph:

"(5) EXCEPTION.—The requirements of this subsection shall not apply to a rule or rulemaking proceeding under section 6(b).".

(j) Section 25(d)(1) (as designated by section 206) is further amended—

(1) in the first sentence, by striking "of the action proposed in notices of intent issued under section 6(b) and"; and

(2) in the second sentence—

(A) by striking "notices of intent and"; and

(B) by striking "6(b) or 25(a), as applicable," and inserting "25(a),".

(k) The second sentence of section 25(e) (7 U.S.C. 136w(e)) is amended by inserting before the period at the end the following: ", except for an action that may be taken under section 6(b)".

SEC. 208. CONFORMING AMENDMENTS TO FIFRA TABLE OF CONTENTS.

The table of contents in section 1(b) (7 U.S.C. prec. 121) is amended—

(1) by striking the item relating to section 3(c)(6) and inserting the following new item:

"(6) Denial of application for registration.";

(2) by striking the item relating to section 3(c)(8);

(3) by striking the item relating to section 6(b) and inserting the following new items:

"(b) Cancellation and change in classification or other terms or conditions of registration.
"(1) Authority.
"(2) Basis for rule.
"(3) Prenotice procedures.
"(4) Advance notice to public.
"(5) Docket.
"(6) Notice of proposed rulemaking.
"(7) Informal hearing.
"(8) Review by Scientific Advisory Panel.
"(9) Final action.
"(10) Modification or cancellation.
"(11) Denial of applications.
"(12) Amendment of rule.
"(13) Judicial review.
"(14) Exception to requirements.";

(4) by striking the item relating to section 16(b) and inserting the following new items:

"(b) Review by court of appeals.
"(1) Review of certain orders.
"(2) Review of certain rules.";

(5) by adding at the end of the items relating to section 25(a) the following new item:

"(5) Exception.";

(6) by striking the item relating to section 25(d) and inserting the following new items:

"(d) Scientific Advisory Panel.
"(1) In general.
"(2) Science Review Board.";

and

(7) by striking the item relating to section 28(c) and inserting the following new items:

"(c) Integrated pest management.

"(1) In general.

"(2) Joint research and development.".

TITLE III—AMENDMENTS TO THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

SEC. 301. REFERENCE.

Whenever in this title an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.).

SEC. 302. DEFINITIONS.

(a) PESTICIDE CHEMICAL; PESTICIDE CHEMICAL RESIDUE.—Section 201(q) (21 U.S.C. 321(q)) is amended to read as follows:

"(q)(1) The term 'pesticide chemical' means—

"(A) any substance that is a pesticide within the meaning of section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136(u)),

"(B) any active ingredient of a pesticide within the meaning of section 2(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136(a)), or

"(C) any inert ingredient of a pesticide within the meaning of section 2(m) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136(m)).

"(2) The term 'pesticide chemical residue' means a residue in or on raw agricultural commodity or processed food of—

"(A) a pesticide chemical, or

"(B) any other added substance that is present in the commodity or food primarily as a result of the metabolism or other degradation of a pesticide chemical.

"(3) Notwithstanding subparagraphs (1) and (2), the Administrator may by regulation except a substance from the definition of 'pesticide chemical' or 'pesticide chemical residue' if—

"(A) the substance's occurrence as a residue on a raw agricultural commodity or processed food is attributable primarily to natural causes or to human activities not involving the use of any substances for a pesticidal purpose in the production, storage, processing, or transportation of any raw agricultural commodity or processed food, and

"(B) the Administrator, after consultation with the Secretary, determines that the substance more appropriately should be regulated under one or more provisions of this Act other than sections 402(a)(2)(B) and 408.".

(b) FOOD ADDITIVE.—Subparagraphs (1) and (2) of section 201(s) (21 U.S.C. 321(s)) are amended to read as follows:

"(1) a pesticide chemical residue in or on a raw agricultural commodity or processed food; or

"(2) a pesticide chemical; or".

(c) PROCESSED FOOD.—Section 201 (21 U.S.C. 321) is amended by adding at the end the following:

"(gg) The term 'processed food' means any food other than a raw agricultural commodity and includes any raw agricultural commodity that has been subject to processing, such as canning, cooking, freezing, dehydration, or milling.

"(hh) The term 'Administrator' means the Administrator of the United States Environmental Protection Agency.".

SEC. 303. PROHIBITED ACTS.

Section 301(j) (21 U.S.C. 331(j)) is amended by inserting before the first period the following: ", or the violation of section 408(g)(2) or any regulation issued under such section.".

SEC. 304. ADULTERATED FOOD.

Section 402(a)(2) (21 U.S.C. 342(a)(2)) is amended to read as follows:

"(2) if—

"(A) it bears or contains any added poisonous or added deleterious substance (other than a substance that is a pesticide chemical residue in or on a raw agricultural commodity or processed food, a food additive, a color additive, or a new animal drug) that is unsafe within the meaning of section 406;

"(B) it bears or contains a pesticide chemical residue that is unsafe within the meaning of section 408(a); or

"(C) it is or if it bears or contains—

"(i) any food additive that is unsafe within the meaning of section 409; or

"(ii) a new animal drug (or conversion product thereof) that is unsafe within the meaning of section 512; or".

SEC. 305. TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES.

Section 408 (21 U.S.C. 346a) is amended to read as follows:

"SEC. 408. TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES.

"(a) REQUIREMENT FOR TOLERANCE OR EXEMPTION.—

"(1) DEFINITION.—For the purposes of this section, the term 'food,' when used as a noun without modification, shall mean a raw agricultural commodity or processed food.

"(2) GENERAL RULE.—Except as provided in paragraph (3) or (4), any pesticide chemical residue in or on a food shall be deemed unsafe for the purpose of section 402(a)(2)(B) unless—

"(A) a tolerance for such pesticide chemical residue in or on such food is in effect under this section and the concentration of the residue is within the limits of the tolerance; or

"(B) an exemption from the requirement of a tolerance is in effect under this section for the pesticide chemical residue.

"(3) PROCESSED FOOD.—Notwithstanding paragraph (2), the following provisions shall apply with respect to processed food:

"(A) If a tolerance is in effect under this section for a pesticide chemical residue in or on a raw agricultural commodity, a pesticide chemical residue that is present in or on a processed food because the food is made from that raw agricultural commodity shall not be considered unsafe within the meaning of section 402(a)(2)(B) despite the lack of a tolerance for the pesticide chemical residue in or on the processed food if the concentration of the pesticide chemical residue in the processed food when ready for consumption or use is not greater than the tolerance prescribed for the pesticide chemical residue in the raw agricultural commodity.

"(B) If an exemption from the requirement for a tolerance is in effect under this section for a pesticide chemical residue in or on a raw agricultural commodity, a pesticide chemical residue that is present in or on a processed food because the food is made from that raw agricultural commodity shall not be considered unsafe within the meaning of section 402(a)(2)(B).

"(4) RESIDUES OF DEGRADATION PRODUCTS.—If a pesticide chemical residue is present in or on a food because it is a metabolite or other degradation product of a precursor substance that itself is a pesticide chemical or pesticide chemical residue, such a residue shall not be considered to be unsafe within the meaning of section 402(a)(2)(B) despite the lack of a tolerance or exemption from the need for a tolerance for such residue in or on such food if—

"(A) the Administrator has not determined that the degradation product is likely to pose any potential health risk from dietary exposure that is of a different type than, or of a greater significance than, any risk posed by dietary exposure to the precursor substance;

"(B) either—

"(i) a tolerance is in effect under this section for residues of the precursor substance in or on the food, and the combined level of residues of the degradation product and the precursor substance in or on the food is at or below the stoichiometrically equivalent level that would be permitted by the tolerance if the residue consisted only of the precursor substance rather than the degradation product; or

"(ii) an exemption from the need for a tolerance is in effect under this section for residues of the precursor substance in or on the food; and

"(C) the tolerance or exemption for residues of the precursor substance does not state that it applies only to particular named substances or states that it does not apply to residues of the degradation product.

"(5) EFFECT OF TOLERANCE OR EXEMPTION.—While a tolerance or exemption from the requirement for a tolerance is in effect under this section for a pesticide chemical residue with respect to any food, the food shall not by reason of bearing or containing any amount of such a residue be considered to be adulterated within the meaning of section 402(a)(1).

"(b) AUTHORITY AND STANDARD FOR TOLERANCES.—

"(1) AUTHORITY.—The Administrator may issue regulations establishing, modifying, or revoking a tolerance for a pesticide chemical residue in or on a food—

"(A) in response to a petition filed under subsection (d); or

"(B) on the Administrator's initiative under subsection (e).

"(2) STANDARD.—

"(A) IN GENERAL.—A tolerance may not be established for a pesticide chemical residue in or on a food at a level that is higher than a level that the Administrator determines is adequate to protect the public health.

"(B) MODIFICATION OR REVOCATION OF A TOLERANCE.—The Administrator shall modify or revoke a tolerance if it is at a level higher than the level that the Administrator determines is adequate to protect the public health.

"(C) DETERMINATION FACTORS.—In making a determination under this paragraph, the Administrator shall take into account, among other relevant factors, the validity, completeness, and reliability of the available data from studies of the pesticide chemical residue, the nature of any toxic effects shown to be caused by the pesticide chemical in such studies, available information and reasonable assumptions concerning the relationship of the results of such studies to human risk, available information and reasonable assumptions concerning the dietary exposure levels of food consumers (and major identifiable subgroups of food consumers, including infants and children) to the pesticide chemical residue, and available information and reasonable assumptions concerning the variability of the sensitivities of major identifiable groups, including infants and children, and shall consider other factors to the extent required by subparagraph (F).

"(D) NEGLIGIBLE DIETARY RISK STANDARD.—For purposes of subparagraph (A), a tolerance level for a pesticide chemical residue in or on a food shall be considered to be adequate to protect the public health if the dietary risk posed to food consumers by such

level of the pesticide chemical residue is negligible. The Administrator shall by regulation set forth the factors and methods for determining whether such a risk is negligible.

"(E) CALCULATION OF DIETARY RISK.—Where reliable data are available, the Administrator shall calculate the dietary risk posed to food consumers by a pesticide chemical on the basis of the percent of food actually treated with the pesticide chemical and the actual residue levels of the pesticide chemical that occur in food. In particular, the Administrator shall take into account aggregate pesticide use and residue data collected by the Department of Agriculture.

"(F) EXCEPTIONS TO THE NEGLIGIBLE DIETARY RISK STANDARD.—For purposes of subparagraph (A), a level of a pesticide chemical residue in or on a food that poses a greater than negligible dietary risk to consumers of the food shall be considered to be adequate to protect the public health if the Administrator determines that such risk is not unreasonable because—

"(i) use of the pesticide that produces the residue protects humans or the environment from adverse effects on public health or welfare that would, directly or indirectly, result in greater risk to the public or the environment than the dietary risk from the pesticide chemical residue;

"(ii) use of the pesticide avoids risks to workers, the public, or the environment that would be expected to result from the use of another pesticide or pest control method on the same food and that are greater than the risks that result from dietary exposure to the pesticide chemical residue; or

"(iii) the unavailability of the pesticide would limit the availability to consumers of an adequate, wholesome, and economical food supply, taking into account regional and domestic effects, and such adverse effects are likely to outweigh the risk posed by the pesticide residue.

In making the determination under this subparagraph, the Administrator shall not consider the effects on any pesticide registrant, manufacturer, or marketer of a pesticide.

"(3) LIMITATIONS.—

"(A) ISSUANCE OF TOLERANCE.—A tolerance may be issued under the authority of paragraph (2)(F) only if the Administrator has assessed the extent to which efforts are being made to develop either an alternative method of pest control or an alternative pesticide chemical for use on such commodity or food that would meet the requirements of paragraph (2)(D).

"(B) ESTABLISHMENT OF A TOLERANCE.—A tolerance for a pesticide chemical residue in or on a food shall not be established by the Administrator unless the Administrator determines, after consultation with the Secretary, that there is a practical method for detecting and measuring the levels of the pesticide chemical residue in or on the food.

"(C) ESTABLISHMENT OF A TOLERANCE LEVEL.—A tolerance for a pesticide chemical residue in or on a food shall not be established at a level lower than the limit of detection of the method for detecting and measuring the pesticide chemical residue specified by the Administrator under subparagraph (B).

"(4) INTERNATIONAL STANDARDS.—In establishing a tolerance for a pesticide chemical residue in or on a food, the Administrator shall take into account any maximum residue level for the chemical in or on the food that has been established by the Codex Alimentarius Commission. The Administrator shall determine whether the Codex maximum residue level is adequate to protect the health of United States' consumers and whether the data supporting the maximum residue level are valid, complete, and reliable. If the Administrator determines not to adopt a Codex maximum residue level, the Administrator shall publish a notice in the Federal Register setting forth the reasons.

"(c) AUTHORITY AND STANDARD FOR EXEMPTIONS.—

"(1) AUTHORITY.—The Administrator may issue a regulation establishing, modifying, or revoking an exemption from the requirement for a tolerance for a pesticide chemical residue in or on a food—

"(A) in response to a petition filed under subsection (d); or

"(B) on the Administrator's initiative under subsection (e).

"(2) STANDARD.—

"(A) IN GENERAL.—An exemption from the requirement for a tolerance for a pesticide chemical residue in or on a food may be established only if the Administrator determines that a tolerance is not needed to protect the public health, in view of the levels of dietary exposure to the pesticide chemical residue that could reasonably be expected to occur.

"(B) REVOCATION OF EXEMPTION.—An exemption from the requirement for a tolerance for a pesticide chemical residue in or on a food shall be revoked if the Administrator, in response to a petition for the revocation of the exemption or at the Administrator's own initiative determines that the exemption does not satisfy the criterion of subparagraph (A).

"(C) DETERMINATION FACTORS.—In making a determination under this subparagraph, the Administrator shall take into account, among other relevant factors, the factors set forth in subsection (b)(2)(C).

"(3) LIMITATION.—An exemption from the requirement for a tolerance for a pesticide chemical residue in or on a food shall not be established by the Administrator unless the Administrator determines, after consultation with the Secretary—

"(A) that there is a practical method for detecting and measuring the levels of such pesticide chemical residue in or on such food; or

"(B) that there is no need for such a method, and states the reasons for such determination in the order issuing the regulation establishing or modifying the regulation.

"(d) PETITION FOR TOLERANCE OR EXEMPTION.—

"(1) PETITIONS AND PETITIONERS.—Any person may file with the Administrator a petition proposing the issuance of a regulation—

"(A) establishing, modifying, or revoking a tolerance for a pesticide chemical residue in or on a food; or

"(B) establishing or revoking an exemption from the requirement of a tolerance for such a residue.

"(2) PETITION CONTENTS.—

"(A) ESTABLISHMENT.—A petition under paragraph (1) to establish a tolerance or exemption for a pesticide chemical residue shall be supported by such data and information as are specified in regulations issued by the Administrator, including—

"(i)(I) an informative summary of the petition and of the data, information, and arguments submitted or cited in support of the petition; and

"(II) a statement that the petitioner agrees that such summary or any information it contains may be published as a part of the notice of filing of the petition to be published under this subsection and as part of a proposed or final regulation issued under this section;

"(ii) the name, chemical identity, and composition of the pesticide chemical residue and of the pesticide chemical that produces the residue;

"(iii) data showing the recommended amount, frequency, method, and time of application of that pesticide chemical;

"(iv) full reports of tests and investigations made with respect to the safety of the pesticide chemical, including full information as to the methods and controls used in conducting such tests and investigations;

"(v) full reports of tests and investigations made with respect to the nature and amount of the pesticide chemical residue that is likely to remain in or on the food, including a description of the analytical methods used;

"(vi) a practical method for detecting and measuring the levels of the pesticide chemical residue in or on the food, or a statement why such a method is not needed;

"(vii) practical methods for removing any amount of the residue that would exceed any proposed tolerance;

"(viii) a proposed tolerance for the pesticide chemical residue, if a tolerance is proposed;

"(ix) all relevant data bearing on the physical or other technical effect that the pesticide chemical is intended to have and the quantity of the pesticide chemical that is required to produce the effect;

"(x) if the petition relates to a tolerance for a processed food, reports of investigations conducted using the processing method or methods used to produce such food;

"(xi) such information as the Administrator may require to make the determination under subsection (b)(2)(E); and

"(xii) such other data and information as the Administrator requires by regulation to support the petition.

If information or data required by this subparagraph is available to the Administrator, the person submitting the petition may cite the availability of the information or data in lieu of submitting it. The Administrator may require a petition to be accompanied by samples of the pesticide chemical with respect to which the petition is filed.

"(B) MODIFICATION OR REVOCATION.—The Administrator may by regulation establish the requirements for information and data to support a petition to modify or revoke a tolerance or to revoke an exemption from the requirement for a tolerance.

"(3) NOTICE.—A notice of the filing of a petition that the Administrator determines has met the requirements of paragraph (2) shall be published by the Administrator within 30 days after such determination. The notice shall announce the availability of a description of the analytical methods available to the Administrator for the detection and measurement of the pesticide chemical residue with respect to which the petition is filed or shall set forth the petitioner's statement of why such a method is not needed. The notice shall include the summary required by paragraph (2)(A)(i).

"(4) ACTIONS BY THE ADMINISTRATOR.—The Administrator shall, after giving due consideration to a petition filed under paragraph (1) and any other information available to the Administrator—

"(A) issue a final regulation (which may vary from that sought by the petition) establishing, modifying, or revoking a tolerance for the pesticide chemical residue or an exemption of the pesticide chemical residue from the requirement of a tolerance;

"(B) issue a proposed regulation under subsection (e), and thereafter either issue a final

regulation under subsection (e) or an order denying the petition; or

"(C) issue an order denying the petition.

"(5) EFFECTIVE DATE.—A regulation issued under paragraph (4) shall take effect upon publication.

"(6) FURTHER PROCEEDINGS.—

"(A) OBJECTIONS.—Not later than 60 days after a regulation or order is issued under paragraph (4), subsection (e)(1), or subsection (f)(1), any person may file objections thereto with the Administrator, specifying with particularity the provisions of the regulation or order considered to be objectionable and stating reasonable grounds therefor. If the regulation or order was issued in response to a petition under paragraph (d)(1), a copy of each objection filed by a person other than the petitioner shall be served by the Administrator on the petitioner.

"(B) PUBLIC EVIDENTIARY HEARING.—An objection may include a request for a public evidentiary hearing upon the objection. The Administrator shall, upon the initiative of the Administrator or upon the request of an interested person and after due notice, hold a public evidentiary hearing if and to the extent the Administrator determines that such a public hearing is necessary to receive factual evidence relevant to material issues of fact raised by the objections. The presiding officer in such a hearing may authorize a party to obtain discovery from other persons and may upon a showing of good cause made by a party issue a subpoena to compel testimony or production of documents from any person. The presiding officer shall apply the Federal Rules of Civil Procedure in making any order for the protection of the witness or the content of documents produced and shall order the payment of reasonable fees and expenses as a condition to requiring testimony of the witness. On contest, such a subpoena may be enforced by a Federal district court.

"(C) ISSUANCE OF AN ORDER.—After receiving the arguments of the parties, the Administrator shall, as soon as practicable, issue an order stating the action taken upon each such objection and setting forth any revision to the regulation or prior order that the Administrator has found to be warranted. If a hearing was held under subparagraph (B), such order and any revision to the regulation or prior order shall, with respect to questions of fact at issue in the hearing, be based only on substantial evidence of record at such hearing, and shall set forth in detail the findings of facts and the conclusions of law or policy upon which the order or regulation is based.

"(D) EFFECTIVE DATE OF AN ORDER.—An order issued under this paragraph ruling on an objection shall not take effect before the 90th day after its publication unless the Administrator finds that emergency conditions exist necessitating an earlier effective date, in which event the Administrator shall specify in the order the Administrator's findings as to such conditions.

"(7) JUDICIAL REVIEW.—

"(A) FILING OF PETITION.—In a case of actual controversy as to the validity of any order issued under paragraph (6) or any regulation that is the subject of such an order, any person who will be adversely affected by such order or regulation may obtain judicial review by filing in the United States Court of Appeals for the circuit wherein such person resides or has its principal place of business, or in the United States Court of Appeals for the District of Columbia Circuit, not later than 60 days after publication of such order, a petition praying that the order or regulation be set aside in whole or in part.

"(B) FILING OF RECORD OF PROCEEDINGS.—A copy of the petition shall be forthwith transmitted by the clerk of the court to the Administrator, or any officer designated by the Administrator for that purpose, and thereupon the Administrator shall file in the court the record of the proceedings on which the Administrator based the order or regulation, as provided in section 2112 of title 28, United States Code. Upon the filing of such a petition, the court shall have exclusive jurisdiction to affirm or set aside the order or regulation complained of in whole or in part. The findings of the Administrator with respect to questions of fact shall be sustained only if supported by substantial evidence when considered on the record as a whole.

"(C) ADDITIONAL EVIDENCE.—If a party applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that the additional evidence is material and that there were reasonable grounds for the failure to adduce the evidence in the proceeding before the Administrator, the court may order that the additional evidence (and evidence in rebuttal thereof) shall be taken before the Administrator in the manner and upon the terms and conditions the court deems proper. The Administrator may modify prior findings as to the facts by reason of the additional evidence so taken and may modify the order or regulation accordingly. The Administrator shall file with the court any such modified finding, order, or regulation.

"(D) FINAL JUDGMENT.—The judgment of the court affirming or setting aside, in whole or in part, any order under paragraph (6) and any regulation that is the subject of such an order shall be final, subject to review by the Supreme Court of the United States as provided in section 1254 of title 28 of the United States Code. The commencement of proceedings under this paragraph shall not, unless specifically ordered by the court to the contrary, operate as a stay of a regulation or order.

"(E) LIMITATIONS ON JUDICIAL REVIEW.—Any issue as to which review is or was obtainable under paragraph (6) and this paragraph shall not be the subject of judicial review under any other provision of law.

"(e) ACTION ON ADMINISTRATOR'S OWN INITIATIVE.—

"(1) GENERAL RULE.—The Administrator may issue a regulation—

"(A) establishing, modifying, or revoking a tolerance for a pesticide chemical or a pesticide chemical residue;

"(B) establishing or revoking an exemption of a pesticide chemical residue from the requirement of a tolerance; or

"(C) establishing general procedures and requirements to implement this section.

A regulation issued under this paragraph shall become effective upon its publication.

"(2) NOTICE.—Before issuing a final regulation under paragraph (1), the Administrator shall issue a notice of proposed rulemaking and provide a period of not less than 60 days for public comment on the proposed regulation, except that a shorter period for comment may be provided if the Administrator for good cause finds that it would be contrary to the public interest to do so and states the reasons for the finding in the notice of proposed rulemaking. The Administrator shall provide an opportunity for a public hearing during the rulemaking under procedures provided in subsection (d)(6)(B).

"(f) SPECIAL DATA REQUIREMENTS.—

"(1) REQUIRING SUBMISSION OF ADDITIONAL DATA.—If the Administrator determines that additional data or information are reasonably required to support the continuation of a tolerance or exemption that is in effect under this section for a pesticide chemical residue on a food, the Administrator shall—

"(A) issue a notice requiring the persons holding the pesticide registrations associated with such tolerance or exemption to submit the data or information under section 3(c)(2)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(c)(2)(B));

"(B) issue a rule requiring that testing be conducted on a substance or mixture under section 4 of the Toxic Substances Control Act (15 U.S.C. 2603); or

"(C) publish in the Federal Register, after first providing notice and an opportunity for comment of not less than 90 days duration, an order—

"(i) requiring the submission to the Administrator by one or more interested persons of a notice identifying the person or persons who will submit the required data and information;

"(ii) describing the type of data and information required to be submitted to the Administrator and stating why the data and information could not be obtained under the authority of section 3(c)(2)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(c)(2)(B)) or section 4 of the Toxic Substances Control Act (15 U.S.C. 2603);

"(iii) describing the reports to the Administrator required to be prepared during and after the collection of the data and information;

"(iv) requiring the submission to the Administrator of the data, information, and reports referred to in clauses (ii) and (iii); and

"(v) establishing dates by which the submissions described in clauses (i) and (iv) must be made.

The Administrator may revise any such order to correct an error.

"(2) NONCOMPLIANCE.—If a submission required by a notice issued in accordance with paragraph (1)(A) or an order issued under paragraph (1)(B) is not made by the time specified in such notice or order, the Administrator may by order published in the Federal Register modify or revoke the tolerance or exemption in question.

"(3) REVIEW.—An order issued under this subsection shall be effective upon publication and shall be subject to review in accordance with paragraphs (6) and (7) of subsection (d).

"(g) CONFIDENTIALITY AND USE OF DATA.—

"(1) GENERAL RULE.—Data and information that are submitted to the Administrator under this section in support of a tolerance shall be entitled to confidential treatment for reasons of business confidentiality and to exclusive use and data compensation, to the same extent provided by sections 3 and 10 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a and 136h).

"(2) EXCEPTIONS.—Data that are entitled to confidential treatment under paragraph (1) may be disclosed to the Congress, and may be disclosed, under such security requirements as the Administrator may provide by regulation, to—

"(A) employees of the United States who are authorized by the Administrator to examine such data in the carrying out of their official duties under this Act or other Federal laws intended to protect the public health; or

"(B) contractors with the United States authorized by the Administrator to examine such data in the carrying out of contracts under such statutes.

"(3) SUMMARIES.—Notwithstanding any provision of this subsection or other law, the Administrator may publish the informative summary required by subsection (d)(2)(A)(i) and may, in issuing a proposed or final regulation or order under this section, publish an informative summary of the data relating to the regulation or order.

"(h) STATUS OF PREVIOUSLY ISSUED REGULATIONS.—

"(1) REGULATIONS UNDER SECTION 406.—Regulations affecting pesticide chemical residues in or on raw agricultural commodities promulgated, in accordance with section 701(e), under the authority of section 406(a) upon the basis of public hearings instituted before January 1, 1953, shall be deemed to be regulations issued under this section and shall be subject to modification or revocation under subsections (d) and (e).

"(2) REGULATIONS UNDER SECTION 409.—Regulations that established tolerances for substances that are pesticide chemical residues on or in processed food, or that otherwise stated the conditions under which such pesticide chemicals could be safely used, and that were issued under section 409 on or before the date of the enactment of this paragraph, shall be deemed to be regulations issued under this section and shall be subject to modification or revocation under subsection (d) or (e).

"(3) REGULATIONS UNDER SECTION 408.—Regulations that established tolerances or exemptions under this section that were issued on or before the date of the enactment of this paragraph shall remain in effect unless modified or revoked under subsection (d) or (e).

"(i) TRANSITIONAL PROVISION.—If, on the day before the date of the enactment of this subsection, a substance that is a pesticide chemical was, with respect to a particular pesticidal use of the substance and any resulting pesticide chemical residue in or on a particular food—

"(1) regarded by the Administrator or the Secretary as generally recognized as safe for use within the meaning of the provisions of section 408(a) or 201(s) as then in effect; or

"(2) regarded by the Secretary as a substance described by section 201(s)(4),

such a pesticide chemical residue shall be regarded as exempt from the requirement for a tolerance, as of the date of enactment of this subsection. The Administrator shall by regulation indicate which substances are described by this subsection. An exemption under this subsection may be revoked or modified as if it had been issued under subsection (c).

"(j) HARMONIZATION WITH ACTION UNDER OTHER LAWS.—

"(1) LIMITATION.—Notwithstanding any other provision of this Act, a final rule under this section that revokes, modifies, or suspends a tolerance or exemption for a pesticide chemical residue in or on a food may be issued only if the Administrator has first taken any necessary action under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), with respect to the registration of the pesticide whose use results in such residue to ensure that any authorized use of the pesticide in producing, storing, processing, or transporting food that occurs after the issuance of such final rule under this section will not result in pesticide chemical residues on such food that are unsafe within the meaning of subsection (a).

"(2) REVOCATION OF TOLERANCE OR EXEMPTION FOLLOWING CANCELLATION OF ASSOCIATED REGISTRATIONS.—If the Administrator, acting under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), cancels the registration of each pesticide that contains a particular pesticide chemical and that is labeled for use on a particular food, or requires that the registration of each such pesticide be modified to prohibit its use in connection with the production, storage, or transportation of such food, due in whole or in part to dietary risks to humans posed by residues of such pesticide chemical on such food, the Administrator shall revoke any tolerance or exemption that allows the presence of such pesticide chemical, or any pesticide chemical residue that results from its use, in or on such food. The Administrator shall use the procedures set forth in subsection (e) in taking action under this paragraph. A revocation under this paragraph shall become effective not later than 180 days after—

"(A) the date by which each such cancellation of a registration has become effective; or

"(B) the date on which the use of the canceled pesticide becomes unlawful under the terms of the cancellation,

whichever is later.

"(3) SUSPENSION OF TOLERANCE OR EXEMPTION FOLLOWING SUSPENSION OF ASSOCIATED REGISTRATIONS.—

"(A) SUSPENSION.—If the Administrator, acting under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), suspends the use of each registered pesticide that contains a particular pesticide chemical and that is labeled for use on a particular food, due in whole or in part to dietary risks to humans posed by residues of such pesticide chemical on such food, the Administrator shall suspend any tolerance or exemption that allows the presence of such pesticide chemical, or any pesticide chemical residue that results from its use, in or on such food. The Administrator shall use the procedures set forth in subsection (e) in taking action under this paragraph. A suspension under this paragraph shall become effective not later than 60 days after the date by which each such suspension of use has become effective.

"(B) EFFECT OF SUSPENSION.—The suspension of a tolerance or exemption under subparagraph (A) shall be effective as long as the use of each associated registration of a pesticide is suspended under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.). While a suspension of a tolerance or exemption is effective the tolerance or exemption shall not be considered to be in effect. If the suspension of use of the pesticide under such Act is terminated, leaving the registration of the pesticide for such use in effect under such Act, the Administrator shall rescind any associated suspension of a tolerance or exemption.

"(4) TOLERANCES FOR UNAVOIDABLE RESIDUES.—In connection with action taken under paragraph (2) or (3), or with respect to pesticides whose registrations were canceled prior to the effective date of this paragraph, if the Administrator determines that a residue of the canceled or suspended pesticide chemical will unavoidably persist in the environment and thereby be present in or on a food, the Administrator may establish a tolerance for the pesticide chemical residue at a level that permits such unavoidable residue to remain in such food. In establishing such a tolerance, the Administrator shall take into account the factors set forth in subsection (b)(2)(F)(iii) and shall use the procedures set forth in subsection (e). The Administrator shall review any such tolerance periodically and modify it as necessary so that it allows only that level of the pesticide chemical residue that is unavoidable.

"(5) PESTICIDE RESIDUES RESULTING FROM LAWFUL APPLICATION OF PESTICIDE.—Notwithstanding any other provision of this Act, if a tolerance or exemption for a pesticide chemical residue in or on a food has been revoked, suspended, or modified under this section, an article of that food shall not be considered unsafe solely because of the presence of such pesticide chemical residue in or on such food if it is shown to the satisfaction of the Secretary that—

"(A) the residue is present as the result of an application or use of a pesticide at a time and in a manner that was lawful under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); and

"(B) the residue does not exceed a level that was authorized at the time of that application or use to be present on the food under a tolerance, exemption, food additive regulation, or other sanction then in effect under this Act,

unless, in the case of any tolerance or exemption revoked, suspended, or modified under this subsection or subsection (d) or (e), the Administrator has issued a determination that consumption of the legally treated food during the period of its likely availability in commerce will pose an unreasonable dietary risk.

"(k) FEES.—The Administrator shall by regulation require the payment of such fees as will in the aggregate, in the judgment of the Administrator, be sufficient over a reasonable term to provide, equip, and maintain an adequate service for the performance of the Administrator's functions under this section. Under the regulations, the performance of the Administrator's services or other functions under this section, including—

"(1) the acceptance for filing of a petition submitted under subsection (d);

"(2) the promulgation of a regulation establishing, modifying, or revoking a tolerance or establishing or revoking an exemption from the requirement of a tolerance under this section;

"(3) the acceptance for filing of objections under subsection (d)(6); or

"(4) the certification and filing in court of a transcript of the proceedings and the record under subsection (d)(7),

may be conditioned upon the payment of such fees. The regulations may further provide for waiver or refund of fees in whole or in part when in the judgment of the Administrator such a waiver or refund is equitable and not contrary to the purposes of this subsection.

"(l) NATIONAL UNIFORMITY OF TOLERANCES.—

"(1) QUALIFYING PESTICIDE CHEMICAL RESIDUE.—For purposes of this subsection, the term 'qualifying pesticide chemical residue' means a pesticide chemical residue resulting from the use, in production, processing, or storage of a food, of a pesticide chemical that is an active ingredient and that—

"(A) was first approved for such use in a registration of a pesticide issued under section 3(c)(5) of the Federal Insecticide, Fungicide, Rodenticide Act (7 U.S.C. 136a(c)(5)) on or after April 25, 1985, on the basis of data determined by the Administrator to meet all applicable requirements for data prescribed by regulations in effect under such Act on April 25, 1985; or

"(B) was approved for such use in a reregistration eligibility determination issued under section 4(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(g)) on or after the date of enactment of the Food Quality Protection Act of 1993.

"(2) QUALIFYING FEDERAL DETERMINATION.—For purposes of this subsection, the term 'qualifying Federal determination' means—

"(A) a tolerance or exemption from the requirement for a tolerance for a qualifying pesticide chemical residue that was—

"(i) issued under this section after the date of enactment of the Food Quality Protection Act of 1993; and

"(ii) issued (or, pursuant to subsection (h) or (i), deemed to have been issued) under this section, and determined by the Administrator to meet the standard under subsection (b)(2) (in the case of a tolerance) or (c)(2) (in the case of an exemption); and

"(B) any statement, issued by the Secretary, of the residue level below which enforcement action will not be taken under this Act with respect to any qualifying pesticide chemical residue, if the Secretary finds that such pesticide chemical residue level permitted by such statement during the period to which such statement applies protects human health.

"(3) LIMITATION.—The Administrator may make the determination described in paragraph (2)(A)(ii) only by issuing a rule in accordance with the procedure set forth in subsection (d) or (e) and only if the Administrator issues a proposed rule and allows a period of not less than 30 days for comment on the proposed rule. Any such rule shall be reviewable in accordance with paragraphs (6) and (7) of subsection (d).

"(4) STATE AUTHORITY.—Except as provided in paragraph (5), no State or political subdivision may establish or enforce any regulatory limit on a qualifying pesticide chemical residue in or on any food if a qualifying Federal determination applies to the presence of such pesticide chemical residue in or on such food, unless such State regulatory limit is identical to such qualifying Federal determination. A State or political subdivision shall be considered to establish or enforce a regulatory limit on a pesticide chemical residue in or on food if it purports to prohibit or penalize the production, processing, shipping, or other handling of a food because it contains a pesticide residue (in excess of a prescribed limit), or if it purports to require that a food containing a pesticide residue be the subject of a warning or other statement relating to the presence of the pesticide residue in the food.

"(5) PETITION PROCEDURE.—

"(A) IN GENERAL.—Any State may petition the Administrator for authorization to establish in such State a regulatory limit on a qualifying pesticide chemical residue in or on any food that is not identical to the qualifying Federal determination applicable to such qualifying pesticide chemical residue.

"(B) PETITION REQUIREMENTS.—Any petition under subparagraph (A) shall—

"(i) satisfy any requirements prescribed, by rule, by the Administrator; and

"(ii) be supported by scientific data about the pesticide chemical residue that is the subject of the petition or about chemically related pesticide chemical residues, data on the consumption within such State of food bearing the pesticide chemical residue, and data on exposure of humans within such State to the pesticide chemical residue.

"(C) ORDER.—Subject to paragraph (6), the Administrator may, by order, grant the authorization described in subparagraph (A) if the Administrator determines that the proposed State regulatory limit—

"(i) is justified by compelling local conditions;

"(ii) would not unduly burden interstate commerce; and

"(iii) would not cause any food to be in violation of Federal law.

"(D) CONSIDERATION OF PETITION AS PETITION FOR TOLERANCE OR EXEMPTIONS.—In lieu of any action authorized under subparagraph (C), the Administrator may treat a petition under this paragraph as a petition under subsection (d) to revoke or modify a tolerance or to revoke an exemption. If the Administrator determines to treat a petition under this paragraph as a petition under subsection (d), the Administrator shall thereafter act on the petition pursuant to subsection (d).

"(E) REVIEW OF ORDER.—Any order of the Administrator granting or denying the authorization described in subparagraph (A) shall be subject to review in the manner described in subsections (d)(6) and (d)(7).

"(6) RESIDUES FROM LAWFUL APPLICATION.—No State or political subdivision may enforce any regulatory limit on the level of a pesticide chemical residue that may appear in or on any food if, at the time of the application of the pesticide that resulted in such residue, the sale of such food with such residue level was lawful under this Act and under the law of such State, unless the State demonstrates that consumption of the food containing such pesticide residue level during the period of the food's likely availability in the State will pose an unreasonable dietary risk to the health of persons within such State.".

SEC. 305. CONFORMING AMENDMENT.

Section 512(a)(1) (21 U.S.C. 360b(a)(1)) is amended by striking "section 402(a)(2)(D)" and inserting "section 402(a)(2)(C)(ii)".

SEC. 306. AUTHORIZATION FOR INCREASE MONITORING.

There is authorized to be appropriated $12,000,000 in addition to other amounts appropriated for increased monitoring by the Secretary of Health and Human Services of pesticide residues in imported and domestic food.

Mr. LUGAR. Mr. President, on June 28 of this year, the National Academy of Sciences released its long-awaited report, "Pesticides in the Diets of Infants and Children." The Academy believes that the food supply is safe, but concluded that there is room for improvement, particularly when it comes to our children. Senator PRYOR and I are introducing legislation to expedite the recommendations of the National Academy of Sciences, along with other improvements in the way we regulate pesticides.

This bill specifically recognizes that need for obtaining better information on what children eat, and what's in the food they eat. The bill also calls for improvements in the toxicity testing requirements of pesticides and methods of risk assessment to ensure that pesticide tolerances adequately ensure the safety of our children.

In addition, this legislation puts an end to the pesticide double standard by creating a single safety standard for pesticide tolerances on raw and processed food as recommended by another recent Academy report. The bill also establishes procedures to expedite current cancellation and suspension authority in order to remove bad actors from the market quickly avoiding costly and time-consuming adjudicatory proceedings. Finally, the bill directs EPA and USDA to research and collect data on integrated pest management to reduce or eliminate the use of high risk pesticides.

Many of the concepts contained in this bill have been embraced by the administration. I look forward to working closely with the administration on these very difficult issues as they progress.

I urge all my colleagues to join Senator PRYOR and me in supporting this sound, comprehensive approach to pesticide regulatory reform.

Mr. NICKLES. Mr. President, today I join with Senators PRYOR and LUGAR in support of maintaining a plentiful, wholesome, and economical food supply. Our Nation now enjoys some of the highest safety standards and the lowest food prices in the world. I am convinced that we can maintain this quality supply by means of laws and regulations which promote sound and practical scientific methods while considering the advantageous aspects of certain pesticides to the national health and economy. However, a combination of antiquated legislation, a recent judicial decision, and EPA policy now threaten to undermine the integrity of the food supply.

In 1958, Congress enacted the Delaney clause of the Federal Food, Drug, and Cosmetic Act [FD&C Act] which prohibits the approval of any food additives found to be carcinogenic, no matter how remote the statistical probability of additional cancers. The clause completely ignores any consideration of social benefit in relation to the significance of the risk posed by the additive.

The Delaney clause illustrates well how the admirable intentions of strict Government regulations often create a situation which later becomes onerous. As analytical methods have improved, so has our ability to detect trace amounts of residual substances in food products as well as the ability to predict remote health threats. Residual substances can now be detected at levels well below threshold level. Cancer rates can be predicted at levels far fewer than one additional cancer per million people.

The Environmental Protection Agency [EPA], after realizing the anachronistic nature of the clause, established a de minimis policy for pesticides and additives to processed foods; that is, they established a policy accepting of negligible risks to allow much needed flexibility. This standard, supported by a 1987 National Academy of Sciences study, allowed for pesticide levels which are suspected of producing less than one additional cancer per million people. In addition, EPA departed from the de minimis restrictions to allow for somewhat higher risks when benefits are judged significant. This was in compliance with current law applying only to nonprocessed foods which

maintains that EPA must consider "the need for an adequate, wholesome, and economical food supply" when establishing regulations for these residues.

However, this functional policy was overturned by the decision of the U.S. ninth circuit court last year in the case of Les versus Reilly. This decision has created a possible crisis. EPA has identified 32 pesticides used on 29 different crops subject to the court decision and the Delaney clause consequently prohibiting them from use. The paradox created is that though this act was intended to protect the public health, it now prohibits registration of pesticides which may cause less risk than other pesticides available which do not happen to bear the dreaded title of carcinogen, but which may in fact pose greater health risk of another nature.

The court decision regarding the Delaney clause in addition to new studies by the National Academy of Sciences regarding food safety has led to renewed interest in reforming pesticide and food additive policy in general. The FD&C Act and the Federal Insecticide, Fungicide, and Rodenticide Act [FIFRA] have both been under scrutiny by my colleagues looking to improve upon current pesticide regulations. The bill presented by Senators PRYOR and LUGAR today seeks not only to find a solution to the Delaney dilemma, but also to expand upon several broader concerns which have arisen out of current regulations found in FD&C and FIFRA.

The first of these reforms strikes at the very heart of the regulatory inefficiency of FIFRA. It provides EPA with the streamlined regulatory procedures needed to quickly eliminate the use of any pesticide by removing the constraints of the layers of paperwork now necessary for EPA to cancel the use of a pesticide. EPA sometimes needs to respond quickly in emergency situations to eliminate the use of certain pesticides when updated scientific data shows that such an action is necessary. The new provisions for cancellation outlined in the legislation not only replace a cumbersome adjudicatory hearing with an informal rulemaking procedure, but they also require that EPA seek scientific background from USDA, FDA, and EPA scientists. In addition, it allows for a comment period which is significant while not being too much of a regulatory burden. This reform presents a moderate approach to the cancellation procedure, promoting swift action while allowing all interested parties sufficient time to respond to proposed cancellations.

The heart of the reforms presented in this bill, however, are the amendments to the FD&C Act. It is here that the troublesome Delaney clause is replaced by a modern and rational standard limiting pesticide risks to negligible levels as recommended by the National Academy of Sciences. This standard would be uniform across all foods. Importantly, the standard is flexible and allows EPA to consider benefits when setting pesticide tolerances. Such benefits would include nutritional benefits as well as the impact of a loss of a pesticide on the availability and affordability of wholesome domestic foods.

This flexible negligible risk standard also would take into account the validity and reliability of studies on individual pesticides and incorporate real-life, commonsense data into the development of residue tolerances. It would not base tolerances on theoretically ambiguous, arbitrary assumptions which ignore actual application levels to crops and actual residue levels found in the food supply. This bill offers a moderate, commonsense approach to pesticide tolerance levels which seeks to regulate the excessive use of pesticides while still recognizing that pesticides are beneficial to society.

This bill, unlike the current Delaney clause, would allow for further technological and analytical improvements to be incorporated into EPA's regulatory strategy. Not only would it give EPA the flexibility to adapt regulations to the specific circumstances of individual foods and their real impact on human health, but it would enable EPA to consider any new scientific evidence concerning major subgroups of the population. For instance, the National Academy of Sciences recently released a study on the nature of the effects of pesticides on children. The NAS proposed that EPA consider the specific needs of children—their unique diets and nutritional requirements—when establishing tolerances. This bill allows for and promotes an incorporation of any such new information into regulation, while avoiding unnecessary disruptions while taking into account common practice and available scientific data. Likewise, the bill establishes no numerical standards. Instead, the legislation advocates a rational, real-life approach to pesticide regulation—something that the Delaney clause did not allow. This approach recognizes that analytic methods are constantly improving, and that the EPA should be given authority to set tolerance levels on a case-by-case basis which allows for such improvements as well as the inclusion of subgroups.

I urge my colleagues to support this legislation so that we may respond to the real crisis situation which has been created by the Delaney clause. Pesticides and food additives provide great benefits to American agriculture and American consumers. The loss of the pesticides listed by the EPA for cancellation in response to Les versus Reilly will result in reductions in crop yields, farm income, agricultural employment, and American competitiveness abroad. We must understand that pesticides and food safety are not mutually exclusive, but that pesticides help provide our Nation with a food supply that is truly plentiful, wholesome, and economical. As pesticides are unnecessarily forced out of the market, the availability of anticarcinogenic, wholesome fruits and vegetables declines and the probability of disease-causing organisms in food increases. In light of the great impact of pesticides on the Nation's good health and healthy economy, it is imperative that we allow EPA to balance the benefits and risks of pesticide use as they search for meaningful tolerance and registration regulations.

Mr. President, if the Congress is to improve the safety of our food supply and the health of our economy, it must follow this course. We cannot enact regulations based upon hypothesis and panic, but we must instead search for ways to maintain the quality of our food supply in a rational, scientifically based method. This legislation is a great step toward that goal, and I urge my colleagues to support it.

Mrs. KASSEBAUM. Mr. President, I am pleased to join with Senators PRYOR and LUGAR and others in introducing the Food Quality Protection Act of 1993. This legislation is needed to update our Nation's food safety laws to reflect the state of modern science and to ensure the continued integrity of our food supply.

Congress has be struggling for years now to arrive at appropriate reforms to update our food safety laws, but consensus has eluded us. Now, we no longer have the luxury of time to resolve this issue. The ninth circuit court ruling in Les versus Reilly, requiring the strict application of the Delaney clause's zero-risk standard for setting pesticide tolerances, could result in the revocation of 32 to 60 tolerances. This would affect 80 to 100 different crops. Further, as the process of pesticide reregistration now underway continues, more pesticides may fall within the scope of a strictly interpreted Delaney clause, affecting Americans' continued access to abundant, affordable foods.

The National Academy of Sciences' report, "Pesticides in the Diets of Infants and Children," also underscores the need for timely action on food safety reforms. The report finds that children may be at greater health risk from exposure to pesticides in the foods they consume. Children consume less of a variety of foods and consume more food per unit of body weight than adults. In addition, children are growing and developing and thus have different metabolic rates than adults. Our food safety laws must be updated to reflect these differences.

As we again tackle the reform of our food safety laws, it is important to remember that our Nation currently enjoys a food supply that is unparalleled

in its safety, abundance, and affordability. I believe that there are several principles which must underlie our reform efforts if we are to retain and enhance this balance among safety, abundance, and affordability.

First, a single, narrative negligible risk standard should be used as the basis for regulating pesticide residues in raw and processed food. It would be unwise, in my view, to establish a numerical standard in law, given the advances we are constantly making in our scientific understanding of the effects of pesticides.

Second, it is important that in setting tolerances, the Environmental Protection Agency [EPA] be required to balance potential pesticide health risks against the benefits consumers may receive from the continued availability of a pesticide.

Third, in establishing pesticide exposure assessments, the EPA should be given the flexibility to use actual data on food consumption, pesticide use, and residue, as opposed to mandating the use of hypothetical, worst-case exposure assumptions.

Fourth, reform should encourage and support the development of safer pesticides and alternatives to the use of pesticides.

Fifth, reform should be comprehensive and include changes in the Federal Insecticide, Fungicide, and Rodenticide Act to give the EPA the necessary tools to remove potentially hazardous pesticides from the market within a reasonable time-frame.

These principles inform the Food Quality Protection Act of 1993. This legislation provides a strong foundation for the reform of our food safety laws. I am looking forward to working with my colleagues to perfect this legislation and to achieve the consensus necessary to respond to the pressing need to update our Nation's food safety laws.

ADDITIONAL COSPONSORS

S. 106

At the request of Mr. HATCH, the name of the Senator from Minnesota [Mr. DURENBERGER] was added as a cosponsor of S. 106, a bill to modernize the United States Customs Service.

S. 446

At the request of Mr. ROTH, the names of the Senator from Arizona [Mr. DECONCINI] and the Senator from Illinois [Mr. SIMON] were added as cosponsors of S. 446, a bill to extend until January 1, 1996, the existing suspension of duty on tamoxifen citrate.

S. 486

At the request of Mr. HEFLIN, the names of the Senator from Illinois [Ms. MOSELEY-BRAUN] and the Senator from Ohio [Mr. METZENBAUM] were added as cosponsors of S. 486, a bill to establish a specialized corps of judges necessary for certain Federal proceedings required to be conducted, and for other purposes.

S. 540

At the request of Mr. HEFLIN, the name of the Senator from Mississippi [Mr. LOTT] was added as a cosponsor of S. 540, a bill to improve the administration of the bankruptcy system, address certain commercial issues and consumer issues in bankruptcy, and establish a commission to study and make recommendations on problems with the bankruptcy system, and for other purposes.

S. 669

At the request of Mrs. KASSEBAUM, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 669, a bill to permit labor management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes.

S. 784

At the request of Mr. HATCH, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 784, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish standards with respect to dietary supplements, and for other purposes.

S. 852

At the request of Mr. CONRAD, the name of the Senator from Rhode Island [Mr. PELL] was added as a cosponsor of S. 852, a bill to amend title 38, United States Code, to provide for the payment to States of per diem for veterans who receive adult day health care through State homes, and to authorize the provision of assistance to States for the construction of adult day health care facilities at State homes.

S. 1054

At the request of Mr. GLENN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 1054, a bill to impose sanctions against any foreign person or United States person that assists a foreign country in acquiring a nuclear explosive device or unsafeguarded nuclear material, and for other purposes.

S. 1055

At the request of Mr. GLENN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 1055, a bill to amend the Nuclear Non-Proliferation Act of 1978 and the Atomic Energy Act of 1954 to improve the organization and management of United States nuclear export controls, and for other purposes.

S. 1111

At the request of Mr. KERREY, the names of the Senator from Washington [Mrs. MURRAY], the Senator from California [Mrs. BOXER], the Senator from New Jersey [Mr. LAUTENBERG], and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of S. 1111, a bill to authorize the minting of coins to commemorate the Vietnam Veterans' Memorial in Washington, D.C.

S. 1171

At the request of Mr. BREAUX, the names of the Senator from Georgia [Mr. NUNN], the Senator from Alabama [Mr. HEFLIN], and the Senator from Louisiana [Mr. JOHNSTON] were added as cosponsors of S. 1171, a bill to amend the Internal Revenue Code of 1986 with respect to the taxation of certain sponsorship payments to tax-exempt organizations and certain amounts received by Olympic organizations.

S. 1350

At the request of Mr. INOUYE, the name of the Senator from Tennessee [Mr. MATHEWS] was added as a cosponsor of S. 1350, a bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes.

SENATE JOINT RESOLUTION 41

At the request of Mr. SIMON, the names of the Senator from New Mexico [Mr. BINGAMAN] and the Senator from Oklahoma [Mr. BOREN] were added as cosponsors of Senate Joint Resolution 41, a joint resolution proposing an amendment to the Constitution of the United States to require a balanced budget.

SENATE JOINT RESOLUTION 91

At the request of Mr. SPECTER, the names of the Senator from Oregon [Mr. HATFIELD], the Senator from Nebraska [Mr. EXON], the Senator from South Dakota [Mr. DASCHLE], the Senator from Hawaii [Mr. AKAKA], the Senator from South Dakota [Mr. PRESSLER], and the Senator from Nebraska [Mr. KERREY] were added as cosponsors of Senate Joint Resolution 91, a joint resolution designating October 1993 and October 1994 as "National Domestic Violence Awareness Month."

SENATE JOINT RESOLUTION 105

At the request of Mr. INOUYE, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of Senate Joint Resolution 105, a joint resolution designating both September 29, 1993, and September 28, 1994, as "National Barrier Awareness Day."

SENATE CONCURRENT RESOLUTION 31

At the request of Mr. DODD, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of Senate Concurrent Resolution 31, a concurrent resolution concerning the emancipation of the Iranian Baha'i community.

AMENDMENT NO. 905

At the request of Mr. BUMPERS the names of the Senator from North Dakota [Mr. DORGAN] and the Senator from Minnesota [Mr. WELLSTONE] were added as cosponsors of Amendment No. 905 proposed to H.R. 2491, a bill making appropriations for the Departments of

Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes.

AMENDMENTS SUBMITTED

SELF-EMPLOYMENT OPPORTUNITY ACT

WOFFORD (AND OTHERS) AMENDMENT NO. 906

(Ordered referred to the Committee on Labor and Human Resources.)

Mr. WOFFORD (for himself, Mr. KENNEDY, and Mr. BRADLEY) submitted an amendment intended to be proposed by him to the bill (S. 1045) to permit States to establish programs using unemployment funds to assist unemployed individuals in becoming self-employed, as follows:

On page 3, strike lines 9 through 15, and insert the following:

(c) BENEFITS.—

(1) IN GENERAL.—If the Secretary authorizes a self-employment program for a State under this section, the State may use the State unemployment fund to provide cash unemployment benefits, exclusive of the expenses of administration, to individuals participating in the program.

(2) USE OF AMOUNTS.—No State may use amounts made available under paragraph (1) for any purpose other than the provision of the benefits described in paragraph (1) to the individuals described in paragraph (1). Such benefits shall be used to assist such individuals in becoming self-employed.

(3) PROVISION OF BENEFITS.—A State that provides benefits under paragraph (1) to individuals participating in a self-employment program shall provide the benefits to the individuals on a weekly basis.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1994

BRADLEY (AND OTHERS) AMENDMENT NO. 907

Mr. BRADLEY (for himself, Mr. HATFIELD, MR. FEINGOLD, and Mrs. FEINSTEIN) proposed an amendment to the bill (H.R. 2491) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1994, and for other purposes, as follows:

On page 71, line 21, strike "$25,000,000" and insert "$5,000,000".

WARNER AMENDMENT NO. 908

Mr. WARNER proposed an amendment to the bill H.R. 2491, supra; as follows:

On page 60, line 9, after "1994" insert the following: ", and any funds above such $1,000,000,000 may only be obligated with the approval of Congress.

WARNER AMENDMENT NO. 909

Mr. WARNER proposed an amendment to amendment No. 908 proposed by himself to the bill H.R. 2491, supra; as follows:

Strike all after the first clause and add: "any funds above such $1,000,000,100 may only be obligated with the approval of Congress.".

BUMPERS (AND OTHERS) AMENDMENT NO. 910

Mr. BUMPERS (for himself, Mr. COHEN, Mr. KOHL, Mr. BENNETT, Mr. LAUTENBERG, Mr. BRADLEY, Mr. DASCHLE, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 2491, supra; as follows:

On page 62, after line 2, add the following: "*Provided*, That of the funds provided under this heading $100,000,000 shall be made available for termination of the contracts relating to the Advanced Solid Rocket Motor project.".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee for authority to meet for a hearing on Tuesday, September 21, at 9:30 a.m., on the subject: Environmental Problems in the Federal Government.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Tuesday, September 21, 1993, at 2:30 p.m., in SD–138 on "The North American Free-Trade Agreement: Effect on U.S. Agriculture."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a joint hearing with the House Energy and Commerce Committee's Subcommittee on Health and the Environment on legislative issues related to pesticides, during the session of the Senate on Tuesday, September 21, 1993, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. FORD. The Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Committee on Veterans' Affairs to receive the legislative presentation of the American Legion. The hearing will be held on September 21, 1993, at 9:30 a.m., in room 334 of the Cannon House Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet today at 10 a.m. to hear testimony on the North American Free-Trade Agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

Mr. FORD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate Tuesday, September 31, 1993, at 10 a.m. to markup S. 1275, the Community Development, Credit Enhancement and Regulatory Improvement Act of 1993.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER RESOURCES, TRANSPORTATION, PUBLIC BUILDINGS AND ECONOMIC DEVELOPMENT

Mr. FORD. Mr. President, I ask that the Subcommittee on Water Resources, Transportation, Public Buildings and Economic Development, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Tuesday, September 21, beginning at 10 a.m., to conduct a hearing on the National Performance Review report's suggested reforms to the General Services Administration's real estate activities.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS

Mr. FORD. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands, National Parks and Forests of the committee on Energy and Natural Resources be authorized to meet during the session of the Senate, 2:30 p.m., September 21, 1993, to receive testimony on the following bills: S. 986, to provide for an interpretive center at the Civil War Battlefield of Corinth, MS, and for other purposes; S. 1033, to establish the Shenandoah Valley National Battlefields and Commission in the Commonwealth of Virginia, and for other purposes; S. 1341, to establish the Wheeling National Heritage Area in the State of West Virginia, and for other purposes; and H.R. 1305, to make boundary adjustments and other miscellaneous changes to authorities and programs of the National Park Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

TRIBUTE TO MR. BILLY JIM VAUGHN

• Mr. MATHEWS. Mr. President, I rise today to pay tribute to Mr. Billy Jim

Vaughn who has been the Scoutmaster for troop one in Brentwood, in my home State of Tennessee for 59 years.

During his tenure as Scoutmaster, nearly 150 boys have earned the coveted and prestigious rank of Eagle Scout under his stewardship.

Over these many years, I am sure he has been a guiding influence in the lives of hundreds of young men, instilling in them a strong sense of pride, confidence, and accomplishment.

He is to be commended for his commitment and dedication to the Boy Scouts of America and to the youth of middle Tennessee, and for his outstanding service and contribution to his community.•

SENATOR HELMS' NEA AMENDMENTS

• Mr. DURENBERGER. Mr. President, I rise to explain my votes to oppose both amendments offered by Senator HELMS making changes in how the National Endowment for the Arts distributes grants to States, arts organizations, and individual artists around the country.

Members of this body know of my long-standing support for the NEA and for governmental funding for the arts, in general.

In part, that support reflects what I learned in the early 1970's when I helped design Minnesota's State program in support of the arts.

I became convinced at that time that government at all levels should play a positive role in ensuring broad access to the arts and in encouraging and recognizing art that is of high quality.

In part, my longstanding support for the NEA also reflects the importance of the NEA to Minnesota's arts community and to the Nation as a whole.

Minnesota has historically been among the top three States in the number and total volume of NEA grants both sought and received.

We have an outstanding State Arts Board, which receives both NEA grants and distributes State funding, as well.

Of course, we are well known for some of the Nation's best large arts organizations—the Guthrie Theatre, Minnesota Orchestra, St. Paul Chamber Orchestra, Walker Art Center, Minneapolis Institute of Arts, and many others.

And, we also have hundreds of community theatre groups and smaller arts organizations—and thousands of individual artists—in small towns and cities and neighborhoods all over the State.

Because of the strength of Minnesota's arts leadership, our State's arts organizations and individual artists have always done well under the competitive grant programs run by the NEA.

In the first three quarters of the current fiscal year, for example, Minnesota artists and arts groups received 94 NEA grants totaling more than $4.7 million.

The groups ranged from large and internationally known organizations like the Walker Art Center and Minnesota Orchestral Association to individual artists like Helen Demichiel and Jim Periman.

Also among Minnesota NEA grant recipients were smaller arts groups throughout the State—including the New Tradition Theatre Company in St. Cloud and St. Francis Music Center in Little Falls.

Not all States are equally endowed, however.

And, I realize an argument can be made that the NEA's funds should be distributed in a way that helps bring more support to States that don't get funded now. That is one reason a portion of NEA funds now go to States on a formula basis, rather than competitively.

That balance in how funds are distributed has worked well in the past, however, and it should not now be disrupted. It is vital that a significant portion of NEA funds continue to be distributed on a nationally competitive basis. That way Congress' original intent—that NEA grants help stimulate nationally recognized quality—will be maintained.

Significant leverage in broadening support for local arts activity in the private sector comes with that kind of NEA recognition. So, the impact of each dollar of NEA support is actually magnified many times over through private sector contributions.

Finally, let me address two suggestions that have been made to address concerns about the content of art being funded by the NEA and accountability for the use of NEA funds by individual artists. Although the first of these suggestions—additional content restrictions—is not explicitly part of Senator HELMS amendment—it is clearly behind the changing being proposed.

This first suggestion is that we further legislate restrictions on the content of art that is eligible for NEA funding. The second—included in the Helms amendment—would prohibit NEA grants to individual artists.

Although I am a strong NEA supporter, I am also sympathetic to the concerns that lie behind support for additional content restrictions. And, I am also sensitive to concerns about accountability for the use of scarce Federal funds, when the NEA makes grants to individual artists.

However, I do not believe it is either wise or necessary to impose additional content standards on NEA grant recipients. Nor do I believe it should be necessary to ban NEA grant awards to individuals in order to assure accountability for the use of Federal funds.

My opposition to further content standards, Mr. President, does not mean I believe any community in this country should be forced to put up with art that is obscene or pornographic—regardless of how it is funded.

We have laws in this country, Mr. President, against both obscenity or pornography, Mr. President. I support those laws. And, I believe they should be vigorously enforced. I also believe art should not be exempt from the standards that courts have developed over time that define the legal bounds of what is both obscene and pornographic.

I also support vigorous enforcement of a policy I helped frame several years ago which requires NEA supported artists who violate local or State obscenity or pornography statutes to return their NEA grants.

Unfortunately, defining what is pornographic or obscene is not an easy job. That is why I believe its best left where it now lies—in criminal statutes and in the courts—not in this appropriations bill or in any additional statutory content restrictions on the NEA.

As to banning NEA grant awards to individual artists, I support reasonable ways of ensuring accountability for the use of Federal funds in ways that do not eliminate creativity or exclude entire classes of artists or entire categories of value arts forms.

My biggest concern is that an outright ban on grants to individuals would disproportionately hurt certain art forms—like visual arts, folk arts, and literature—that are almost totally dependent on the work of individual artists who work independently.

One way the NEA already addresses this concern is by making grants to collectives or other organizations which, in turn, make grants to individual artists.

If such collectives continued to be used, special efforts must be made to ensure that they were well-known among individual artists and diverse and inclusive in the awards they make.

Let me state again, Mr. President, that the issues raised by the Senator from North Carolina deserve our attention and debate. In several cases, they attempt to address concerns that deserve our most thoughtful and careful attention.

But, for all the reasons I have stated, I believe the Helms amendments would do more harm to arts in the communities across America than it would do good. That is why I voted to table both amendments and am pleased that a majority of my colleagues agreed.•

GROUNDS FOR CASE AGAINST FAKE TURF

• Mr. SIMON. Mr. President, I happen to be a football fan. I enjoy watching games on television, on those occasions when I have the time to do so.

It is the only sport I follow closely.

I know from various articles I read that artificial turf is tough on players, particularly their knees.

Just recently, I read an item by Brian Hewitt, of the Chicago Sun-Times, titled, "Grounds for Case Against Fake Turf."

Here is one football fan who casts his vote for using natural grass and avoiding some of the injuries we now have with professional football.

I ask to insert the article by Brian Hewitt into the RECORD at this point.

The article follows:

[From the Chicago Sun-Times; Sept. 19, 1993]

GROUNDS FOR CASE AGAINST FAKE TURF

(By Brian Hewitt)

This is what you need to know about the debate over the relative merits of artificial playing surfaces vs. grass fields in the NFL:

Owners run the league.

Owners are out to make money.

Artificial surfaces are generally cheaper to maintain than grass.

Artificial surfaces are harder and faster than grass which makes falls and collisions more dangerous.

There is no organized movement among players to eliminate artificial surfaces.

The risk of injury on an artificial surface is greater than on grass.

The NFL disputes this last item. But its arguments are unconvincing.

"We continue to study the NFLPA's assertion that artificial turf causes more serious injuries than grass fields," league spokesman Greg Aiello said. "Unfortunately, injuries occur on both surfaces. There are certainly many instances in which an artificial turf that provides for even footing and a cushion would be preferable to a frozen, bumpy, worn grass field."

But last year John Powell, the NFL's chief tracker of injury trends, published a comparative analysis of knee injuries in the league from 1980 through 1989 in the American Journal of Sports Medicine. And even Powell had to acknowledge in his study, ". . . anterior cruciate ligament (ACL) sprains show a statistically higher injury rate for AstroTurf."

Powell's study charted knee sprains from 1980 through 1989. And the most eye-popping piece of hard data related to special teams play. "Of the 18 ACL sprains attributable to the AstroTurf during the current study years," Powell wrote, "14 ACL sprains to members of the kicking unit may have been prevented had there been no participation on AstroTurf."

"Maybe this is something that should be addressed," Kansas City running back Marcus Allen said. "You can't say the owners don't care. But there are always things that could be better."

"Artificial turf is bad," ex-Bear Dan Hampton said. "We all know that. It all comes down to dollars. You can replace players easier than grass."

That doesn't mean all owners are evil or that the league is conspiring to preside over a mounting injury toll. Fifteen NFL teams play their home games on artificial surfaces, 13 on natural grass. Bears president Michael McCaskey, a man roundly and ceaselessly bashed for being fiscal at all the wrong times, deserves credit for nagging the Park District into converting Soldier Field back from artificial turf to natural grass prior to the 1988 season. It was because of McCaskey's urging that the Chicago Park District decided to spend the $800,000 needed to tear out the old artificial turf and replace it with grass.

"A lot of careers have been lost on this crap," said former Bears running back-turned broadcaster Mike Adamle, who reported the removal of the artificial turf for the WLS-TV on March 29, 1988.

But the loosely-organized natural grass movement suffered a setback when the 1988 summer drought coupled with poor installation prevented the new Soldier Field sod from taking root.

Park District officials had to replace the grass before the first regular-season home game. Then McCaskey asked them to replace it again after the season. The Park District refused the request. And, according to Tim LeFevour, the Bears director of administration, it has refused the same request every year since then.

The net effect, according to NFL agronomist George Toma, was to discourage other teams from converting to grass from turf. This, Toma said, "was the kind of thing that makes the artificial turf people smile."

And doctors frown.

"Playing on artificial turf is literally like almost playing on a floor," said Dr. Michael Schafer, the Bear's chief consulting physician. "The nature of the collisions on it are more severe."

Toma said the average installation cost of an Astro-Turf surface that will last between six and 10 years ranges from $1 to $2.5 million.

The maintenance is minimal. Real grass is cheaper to install—Toma estimates between $250,000 and $1 million—but usually takes more time and money to maintain.

THE STADIUM TURFS

Fifteen of the 28 NFL teams play on artificial turf. Here's the stadium breakdown:

Artificial turf: Cowboys, Texas Stadium; Eagles, Veterans Stadium; Falcons, Georgia Dome; Giants, Giants Stadium; Lions, Pontiac Silverdome; Saints, Superdome; Vikings, Metrodome; Bengals, Riverfront Stadium;* Bills, Rich Stadium; Chiefs, Arrowhead Stadium;* Colts, Hoosierdome; Jets, Giants Stadium; Oilers, Astrodome;* Seahawks, Kingdome; Steelers, Three Rivers Stadium.

Natural turf: Bears, Soldier Field; Buccaneers, Tampa Stadium; Cardinals, Sun Devil Stadium; 49ers, Candlestick Park; Packers, Lambeau Field, Milwaukee County Stadium; Rams, Anaheim Stadium; Redskins, RFK Stadium; Broncos, Mile High Stadium;** Browns, Cleveland Stadium; Chargers, Jack Murphy Stadium; Dolphins, Joe Robbie Stadium;** Patriots, Foxboro Stadium; Raiders, Memorial Coliseum.

*AstroTurf-8.

**Prescription Athletic Turf.●

COSPONSORSHIP OF SENATE CONCURRENT RESOLUTION 27

● Mr. DURENBERGER. Mr. President, I rise today to announce my cosponsorship of Senate Concurrent Resolution 27.

Senate Concurrent Resolution 27 was introduced by my distinguished colleague from Vermont, Senator LEAHY, on May 28, 1993. A number of our colleagues supported the Every Fifth Child Act in the last Congress and have now signed on as cosponsors of this legislation.

The bill would express the sense of Congress that funding should be provided to begin a phase-in toward full funding of the special supplemental food program for women, infants, and children [WIC], and of the Head Start programs, and to expand the Job Corps Program.

Today, approximately every fifth child in the United States lives in poverty. Children are also the fastest growing segment of the homeless population, accounting for 15 percent of all homeless Americans. In Minnesota, the poverty rate for children between ages 5 and 17 has climbed to 18 percent.

Mr. President, the programs targeted for increases by this legislation have proven to be successful, worthwhile investments of public funds in dealing with child poverty, nutrition, and joblessness. That is why in my 15 years as a Senator I have consistently supported both programmatic improvements and increased funding levels for all three of these programs.

Since its inception in 1965, Head Start has served over 12 million low-income preschoolers and their families. Not only does this program prepare young children for school by teaching them a variety of necessary learning skills, but it provides medical services, social services and nutritional education to the entire family. Head Start was the first comprehensive program to treat the child and family as a whole, which recognizes the impact improvements in parents lives will have on the future of the child. In addition, this program serves not only as a way to prepare children for school it is also fiscally sound, researchers estimate that for every dollar spent on Head Start the Federal Government saves $4 in future benefit.

Head Start has continued to see significant increases in its funding levels over the last couple of years. In fact, since 1989, the Federal commitment to Head Start has more than doubled, allowing for more children to be served each year.

Recently, some questions have been raised concerning the quality of some Head Start programs. Much of this concern is caused by the programs' tremendous growth in a very short period of time. Hearings have been held to discuss some ideas for improving quality while continuing to expand the program to serve more children. An administration task force is also scheduled to have a report ready by late October proposing refinement of the program. These hearings will help to shape the reauthorization of Head Start which will take place next year.

The WIC Program provides nutrition supplemental foods to low-income pregnant, postpartum and breast-feeding women and to children up to age 5 who are determined to be at nutritional risk. Recipients also receive nutrition education, advice and assistance on the importance of breast feeding and referrals to the health care system. The WIC Program also proves to have fiscal benefits, a Department of Agriculture study found that for every

dollar invested in WIC up to $4 is saved by the Federal Government.

Job Corps is a major training and unemployment program designed to alleviate the severe unemployment problems faced by disadvantaged youth throughout the United States. The services provided include basic education, vocational skills training, work experience, counseling, health care, and related support services.

Mr. President, I realize that Job Corps is one of many current and proposed programs that have work place readiness as their goal. It has been a good program in the past and it deserves our continued support. However, I also hope that as we expand funding for Job Corps we carefully consider how to best coordinate and integrate a number of other current and proposed efforts to improve job skills.

As we have seen, there is a growing interest in National and Community Service, School to Work opportunities, and apprenticeship programs. I hope we can use the continuing debate to raise the awareness of Federal Job Corps programs. All of these efforts need to be done in concert, Mr. President. As a member of the Senate Labor and Human Resources Committee, I look forward to working with my colleagues to make sure that important goal is realized.

While I fully and wholeheartedly support these programs, I must also say I have severe concerns about funding expectations. I believe deficit reduction is just as vital an investment in our children's future as direct program expenditures. So, while I have cosponsored this legislation, I cannot emphasize enough the need to address our growing national debt, as well as the funding expectations of this bill.

At the same time, I believe that this legislation establishes the right priorities. I look forward to working with my colleagues on both sides of the aisle to create an environment in which we can work together on these and other pressing human need in a fiscally responsible manner.•

VIOLENCE ON TELEVISION

• Mr. SIMON. Mr. President, I have been working closely with the entertainment industry for some time now to encourage the reduction of gratuitous violence on television. For many years, I focused only on programming. Recently, however, I have also focused on promotions.

Clearly, a 10-, 15-, or 20-second preview for a violent show shown at 7 p.m., during children's programming, or during coverage of a weekend afternoon sporting event, is likely to catch a child's eye. Jane Pauley commented on this program after her little girl witnessed a murderous preview for "Kiss of a Killer." Her experience led to an excellent article printed in TV Guide which I think my colleagues will find interesting. In her words:

Even a parent who is careful about what her kids watch may be very surprised by what's falling through the cracks. The gruesome murder may come up just once in a show, but the promotions for it will show up many times in commercial rotation.

Her solution? Treat television promotions much like the previews shown in movie theaters: No previews may be shown for movies with a rating higher than the feature presentation.

Mr. President, I ask that the TV Guide article be printed at this point in the RECORD.

The article follows:

BLOCK THAT PROMO!

(By Jane Pauley)

So, what do you say when a little girl turns from the television set and asks: "Was he sticking a knife in her, Mommy?" It seemed perfectly clear that he was, so what my daughter really wanted to know was, "why?"

And I knew the answer to that question. He appeared to be sticking a knife in the lady because ABC knew we'd turn to look. It was a teaser for the movie "Kiss of a Killer," scheduled for later that night, long after my daughter's bedtime.

What I want to know is, why did they have to run that promo at 7 in the evening, between World News Tonight and Jeopardy!? Am I the only mother springing from the couch in the split second between the conclusion of The Simpsons and the promos for what's ahead on Fox? And it's not that my own network is above it. Perhaps your kids caught the 20-second sneak preview of "Marked for Murder"—during NBC's Sports World on Saturday afternoon a few weeks ago!

When did this become OK?

Actually, David Letterman was first to ask that question. He was referring to the underwear ads splayed on the sides of New York City buses featuring rapper Marky Mark in his underpants clutching himself in the place we used to call "private." As Dave said, "You couldn't do that anywhere near a bus" when he grew up.

So when did this become OK? We all know that the rules have changed. There used to be some pretty silly ones. In the late '50s, NBC censors insisted on hiding pregnant Florence Henderson's tummy behind a desk or potted plants, for instance. While that kind of censorship is long gone, until recently TV followed certain rules about what was fit for family viewing, depending on the time of day. But today those rules are barely observed. I'm told NBC toed the line more carefully when Bill Cosby led the lineup.

While there are still loose guidelines about what constitutes appropriate subject matter for children's programs (you'll be gratified to know that the networks are still sensitive to the use of the word "bastard," but "butthead" is OK)—the promos and teasers that run during the commercial breaks occupy a gray area that seems to be getting wider and darker by the minute.

Even a parent who is careful about what her kids watch may be very surprised by what's falling between the cracks. The vicious rape or the gruesome murder may come up just once in a show, but the promotions for it will show up many times in commercial rotation.

What to do?

Well, movie theaters screen coming-attraction trailers for "general audiences" when they know there are kids in the house. How hard would it be for cable and TV networks to do likewise—and stick to it?•

TRIBUTE TO FONTBONNE COLLEGE

• Mr. BOND. Mr. President, for 70 years, Fontbonne College of St. Louis, MO, has served over 8,000 students in their pursuit of academic excellence. In the midst of tremendous political, societal, and economic changes of the past seven decades, Fontbonne College has continued its mission to provide men and women with the keys to successful careers and intellectual fulfillment through a career-based liberal arts approach to education. It gives me great pleasure, therefore, Mr. President, to rise in acknowledgement of the accomplishments and contributions of Fontbonne College on the occasion of its 70th anniversary.

The origins of Fontbonne College can be traced through the Sisters of St. Joseph of Carondelet, who founded and continue to sponsor the college. In 1647, the community of the Sisters of St. Joseph was formed in LePuy, France. Following the French Revolution, during which five of the sisters were guillotined, the community was refounded in 1807 by Mother St. John Fontbonne, for whom the college is named.

In 1836, Mother St. John Fontbonne sent six sisters to St. Louis to minister to the needs of the area's diverse inhabitants and to teach the deaf. The Sisters of St. Joseph concentrated on health care and elementary, secondary, and deaf education, until the turn of the century, when they began to establish colleges for women.

A charter for Fontbonne College was obtained from the State of Missouri on April 17, 1917, but the entrance of the United States into World War I in that year precluded the inauguration of classes. It was not until September 1923 that the first classes of Fontbonne College convened. In 1948, Fontbonne was accredited by the North Central Association, having been a corporate college of St. Louis University before that time.

Fontbonne is noted for its innovative programs in education and business as well as strong programs in the traditional liberal arts. Fontbonne's dedication to educational excellence is evidenced in its significant growth and placement record. Since 1980, enrollment has increased from 880 to over 2,000 students; placement of Fontbonne gradutes in their chosen field has reached the exceptional level of 95 percent.

Fontbonne College is deeply rooted in the tradition and values of the Sisters of St. Joseph of Carondelet—quality, respect, diversity, community, justice, service, and faith. The college stands firmly in the Catholic tradition. Throughout its 70-year history, the college has maintained its identity while

striving to meet the needs of a rapidly changing society.

Often ahead of the times, Fontbonne College admitted African-American students in 1947—8 years before the U.S. Supreme Court school desegregation decision. In 1971, male students were admitted. In the 1980's, Fontbonne created degree programs with flexible scheduling to meet the needs of working adult students.

For 70 years, Fontbonne College has been guided by the belief that a college education is an important step in a lifelong process of personal enrichment and professional improvement; that professional studies must be founded in the liberal arts; that tradition must be blended with innovation; and that a quality education must illuminate the path to responsibility based on high ethical standards and sound personal values. Through 70 years of change, Fontbonne College has sustained and expanded its mission of quality education. Mr. President, I ask my colleagues to join me in honoring this fine institution on the occasion of its 70th anniversary.●

THE CHICAGO ACADEMY OF SCIENCES

● Mr. SIMON. Mr. President, today I am proud to recognize the Chicago Academy of Science's ecological citizenship [EcoCit] project.

EcoCit is a model program designed to meet the need for urban environmental education. Using an effective, multidisciplinary approach, EcoCit educates students, teachers, and parents on environmental issues and results in community action. Students benefit from a hands-on approach to science that is engaging and fun. Teachers benefit from in-service training and hands-on science and cooperative teaching methods, and parents benefit from involvement in their children's education and community action.

EcoCit is currently serving 3,800 students and 160 teachers in four public elementary schools in Chicago. The program is designed for inner-city, economically and educationally disadvantaged communities, and benefits students from a wide range of racial backgrounds.

It is vital for programs such as EcoCit to continue their efforts in providing urban environmental education. If we are to ensure a safe environment for future generations, we must make an effort to educate our youth about the importance of preserving and enhancing our natural resources. I commend the Chicago Academy of Science's EcoCit project and their dedication to environmental education.●

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FORD. Madam President, I ask unanimous consent the Senate proceed to executive session to consider the following nominations: Calendar No. 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 160, 361, 362, and 363. I further ask unanimous consent that the nominees be confirmed en bloc; that any statements be printed in the RECORD as if read; that upon confirmation the motions to reconsider be laid upon the table en bloc; that the President be immediately notified of the Senate's action.

I ask unanimous consent that the following nominations be discharged from the Committee on Foreign Relations and placed on the Executive Calendar:

Hazel O'Leary to be U.S. Representative to the General Conference of the International Atomic Energy Agency;

Ivan Selin to be an Alternative U.S. Representative to the General Conference of the International Atomic Energy Agency; and

Jane Becker to be an Alternative U.S. Representative to the General Conference of the International Atomic Energy Agency, and that the Senate return to legislative session.

Mr. COCHRAN. We have no objection, Madam President.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

Zachary W. Carter, of New York, to be U.S. attorney for the Eastern District of New York for the term of 4 years.

Patrick H. NeMoyer, of New York, to be U.S. attorney for the Western District of New York for the term of 4 years.

Mary Jo White, of New York, to be U.S. attorney for the Southern District of New York for the term of 4 years.

James Patrick Connelly, of Washington, to be U.S. attorney for the Eastern District of Washington for the term of 4 years.

John Thomas Schneider, of North Dakota, to be U.S. attorney for the District of North Dakota for the term of 4 years.

William David Wilmoth, of West Virginia, to be U.S. attorney for the Northern District of West Virginia for the term of 4 years.

Gaynelle Griffin Jones, of Texas, to be U.S. attorney for the Southern District of Texas for the term of 4 years.

Karen Elizabeth Schreier, of South Dakota, to be U.S. attorney for the District of South Dakota for the term of 4 years.

Walter Michael Troop, of Kentucky, to be U.S. attorney for the Western District of Kentucky for the term of 4 years.

Eric Himpton Holder, Jr., of the District of Columbia, to be U.S. attorney for the District of Columbia for the term of 4 years.

Stephen Charles Lewis, of Oklahoma, to be U.S. attorney for the Northern District of Oklahoma for the term of 4 years.

Vicki Lynn Miles-LaGrange, of Oklahoma, to be U.S. attorney for the Western District of Oklahoma for the term of 4 years.

John W. Raley, Jr., of Oklahoma, to be U.S. attorney for the Eastern District of Oklahoma for the term of 4 years.

Randall K. Rathbun, of Kansas, to be U.S. attorney for the District of Kansas for the term of 4 years.

Paula Jean Casey of Arkansas, to be U.S. attorney for the Eastern District of Arkansas for the term of 4 years.

Paul Kinloch Holmes, III, of Arkansas, to be U.S. attorney for the Western District of Arkansas for the term of 4 years.

Lynne Ann Battaglia, of Maryland, to be U.S. attorney for the District of Maryland for the term of 4 years.

Scott M. Matheson, Jr., of Utah, to be U.S. attorney for the District of Utah for the term of 4 years.

Mr. FORD. Madam President, on a personal note, I would like to say that Walter Michael Troop, of Kentucky, has just been confirmed for U.S. attorney for the western district.

STATEMENT ON U.S. ATTORNEY NOMINATIONS

Mr. BOREN. Madam President, I am pleased that the Senate today confirms that three nominations for the U.S. attorney positions in Oklahoma. These outstanding Oklahomans each have extensive experience in our justice system. They have a long history of dedication to our justice system and the principles it represents.

Vicki Miles-LaGrange will serve as U.S. attorney for the western district. Her nomination is historic because she will be the first African-American woman to serve the Nation as U.S. attorney. Her strong qualifications guarantee that she will be among the Nation's finest Federal prosecutors. She began her career in the U.S. courts in 1973, serving as a law clerk for two Federal district court judges. She then moved to the Department of Justice in Washington, DC, serving for 4 years as law clerk and attorney.

In 1983, Ms. LaGrange became assistant district attorney in Oklahoma County. In 1988, she was elected to the Oklahoma State Senate where she served as chairperson of the judiciary committee. She is also the chairperson of the law and justice committee for the National Conference of State Legislatures. It is apparent that she will bring to the office of U.S. attorney her experience as a trial lawyer and as a legislator who has been very involved in the formulation of policies affecting the judicial system.

Steve Lewis, the nominee for U.S. attorney for the northern district, also has invaluable experience both as a trial lawyer and as a legislator in Oklahoma. He began his career in 1971 serving as assistant district attorney for the 23d Judicial District. In 1974, he became the district attorney for that district, and he also served as president of the State association of district attorneys. Six years later, he was elected to the State House of Representatives where he served as the speaker of the house, as well as Chairman of the House Committee on Criminal Justice. His background uniquely prepares him

to serve effectively and successfully as a Federal prosecutor.

Finally, the Senate has again confirmed John Raley as the U.S. attorney for the Eastern District of Oklahoma. Mr. Raley has served in the post since 1990 and earned a reputation as one of the finest Federal prosecutors in the country. His previous legal experience prepared him well as a trial lawyer. Beginning in 1961, he had worked as an assistant U.S. attorney for 8 years in the Western District of Oklahoma. Before his confirmation as U.S. attorney, he was a partner in a Ponca City law firm where he specialized in litigation. He is an advocate member of the American Board of Trial Advocates, a national organization whose membership is limited to lawyers who have been the lead counsel in over 100 jury trials.

I am pleased that these outstanding Oklahomans can now begin to serve their State as U.S. attorneys. I appreciate the prompt consideration that both the administration and the Judiciary Committee gave to these nominations. Vicki Miles-LaGrange, Steve Lewis, and John Raley will be outstanding U.S. attorneys, serving the country and Oklahoma effectively and proudly.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

THE CALENDAR

Mr. FORD. Madam President, on behalf of the majority leader, I ask unanimous consent the Senate proceed en bloc to the immediate consideration of Calendar Nos. 203, 204, 205, and 206; that the resolutions be agreed to en bloc; that the motions to reconsider the passage of these items be laid upon the table en block; that the consideration of each resolution be included separately in the RECORD, and that statements with respect to the passage of each resolution be included in the RECORD where appropriate.

Mr. COCHRAN. We have no objection, Madam President.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIEF OF HARDWICK, INC.

The resolution (S. Res. 91) to refer S. 745 entitled "A bill for the Relief of Hardwick, Inc." to the chief judge of the U.S. Court of Federal Claims was considered and agreed to as follows:

S. RES. 91

Resolved, That the bill S. 745 entitled "A Bill for the Relief of Hardwick, Inc.", now pending in the Senate, together with all accompanying papers, is referred to the Chief Judge of the United States Court of Federal Claims. The Chief Judge shall proceed with consideration of such case in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code (notwithstanding any other appeal, statute, case law, or regulations, including section 1500 of title 28, United States Code, that may limit in any way the jurisdiction or authority of the court), and report thereon to the Senate at the earliest practicable date giving findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable against the United States, and the amount, if any, legally or equitably due to the claimants from the United States.

Mr. SIMON. Mr. President, I am pleased that Senate Resolution 91 and its accompanying bill, S. 745, passed the Senate. These bills ask the U.S. Court of Federal Claims to advise the Senate on the merits of legal or equitable claims that Hardwick, Inc., may have against the United States.

Mr. and Mrs. Hardwick are an elderly couple who, along with their children, own and run a construction company. The deserve their day in court.

For over a decade, the Hardwicks have been involved in a contract dispute with the U.S. Government. In the late 1980's, the Hardwicks filed suit against the Army Corps of Engineers.

In a subsequent and unrelated case, the Federal circuit changed its jurisdictional rules for bringing suit. As a result of this change, the Hardwick's claim was thrown out of court.

The judge, in dismissing the Hardwick's claim, acknowledged the injustice of dismissing the case after years of litigation based on an unforseen change in the law. He said:

> You may very well be able to proceed on the basis of my ruling in UNR to obtain a Congressional reference. * * * It would appear to me * * * that you would have a meritorious case in Congress. That would be a way to proceed to avoid an appeal and a lot of additional expenditure of time and resources and obtain rulings on errors of the law where I think it is pretty clear.

In passing these bills, we have not made any conclusions about the merits of the Hardwick's claim. Under a congressional reference statute, the House or Senate can refer a case to the Claims Court for an advisory opinion on whether a party has a legal or equitable claim against the U.S. Government. The Hardwick's case is a complex one. The Claims Court is the appropriate body to determine if legal or equitable remedies are warranted.

A congressional reference resolution is not the same as a private relief bill. The resolution does not require Congress to allocate funds from the Treasury. After the Claims Court issues its opinion, Congress can then decide whether or not to implement the court's recommendations in the form of a private relief bill.

I am pleased that the Hardwick Relief Act of 1993 has passed the Senate. This act will ensure that the Hardwicks get their long-awaited day in court and that justice is done.

RELIEF OF LAND GRANTORS IN KENTUCKY

The resolution (S. Res. 98) to refer S. 794 entitled "A bill for the relief of land grantors in Henderson, Union and Webster Counties, KY, and their heirs," to the chief judge of the U.S. Court of Federal Claims for a report thereon was considered and agreed to as follows:

S. RES. 98

Resolved, That the bill (S. 794) entitled "A bill for the relief of land grantors in Henderson, Union, and Webster Counties, Kentucky, and their heirs", now pending in the Senate, together with all accompanying papers, is referred to the Chief Judge of the United States Court of Claims. The Chief Judge shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report back to the Senate, at the earliest practicable date, giving such findings of fact and conclusions that are sufficient to inform Congress of the amount, if any, legally or equitably due from the United States to the claimants individually.

RELIEF OF DR. BEATRICE BRAUDE

The resolution (S. Res. 102) to refer S. 840 entitled "For the relief of the estate of Dr. Beatrice Braude," to the chief judge of the U.S. Court of Federal Claims for a report thereon was considered and agreed to as follows:

S. RES. 102

Resolved, That the bill S. 840 entitled "For the relief of the estate of Dr. Beatrice Braude." now pending in the Senate, together with all the accompanying papers, is referred to the Chief Judge of the United States Court of Federal Claims. The Chief Judge shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due to the claimants from the United States.

RELIEF OF RICHARD KANEHL

The resolution (S. Res. 108) to refer S. 974 entitled "A bill for the relief of Richard Kanehl of Mobile, Alabama," to the chief judge of the U.S. Court of Federal Claims for a report thereon was considered and agreed to as follows:

S. RES. 108

Resolved, That the bill S. 974 entitled "A bill for the relief of Richard Kanehl of Mobile, Alabama." now pending in the Senate, together with all the accompanying papers, is referred to the chief judge of the United States Court of Federal Claims. The chief judge shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28, United States Code, and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient

to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due to the claimants from the United States.

Mr. FORD. Madam President, I might make a note of a personal nature that the relief of land grantors in Henderson, Union, and Webster Counties was Calendar No. 204 (S. Res. 98).

CORRECTION IN ENROLLMENT OF SENATE RESOLUTION 98

Mr. FORD. Madam President, on behalf of the majority leader, I ask unanimous consent that the enrollment of Calendar No. 204 with references to the U.S. Court of Claims be changed to U.S. Court of Federal Claims.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, SEPTEMBER 22, 1993

Mr. FORD. Madam President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9 a.m., Wednesday, September 22; that following the prayer, the Journal of proceedings be deemed approved to date, the time of the two leaders reserved for their use later in the day; that there then be a period for morning business not to extend beyond 9:15 a.m., with Senator LAUTENBERG recognized to speak for up to 15 minutes; that at 9:15 a.m., the Senate resume consideration of H.R. 2491, the VA–HUD appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 9 A.M. TOMORROW

Mr. FORD. Madam President, if there is no further business to come before the Senate today, I ask unanimous consent the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 9:54 p.m., recessed until Wednesday, September 22, 1993, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate September 21, 1993:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

ELI J. SEGAL, OF MASSACHUSETTS, TO BE CHIEF EXECUTIVE OFFICER OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE. (NEW POSITION)

CONFIRMATIONS

Executive nominations confirmed by the Senate September 21, 1993:

DEPARTMENT OF JUSTICE

ZACHARY W. CARTER, OF NEW YORK, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK FOR THE TERM OF 4 YEARS.

PATRICK H. NEMOYER, OF NEW YORK, TO BE U.S. ATTORNEY FOR THE WESTERN DISTRICT OF NEW YORK FOR THE TERM OF 4 YEARS.

MARY JO WHITE, OF NEW YORK, TO BE U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF NEW YORK FOR THE TERM OF 4 YEARS.

JAMES PATRICK CONNELLY, OF WASHINGTON, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF WASHINGTON FOR THE TERM OF 4 YEARS.

JOHN THOMAS SCHNEIDER, OF NORTH DAKOTA, TO BE U.S. ATTORNEY FOR THE DISTRICT OF NORTH DAKOTA FOR THE TERM OF 4 YEARS.

WILLIAM DAVID WILMOTH, OF WEST VIRGINIA, TO BE U.S. ATTORNEY FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF 4 YEARS.

GAYNELLE GRIFFIN JONES, OF TEXAS, TO BE U.S. ATTORNEY FOR THE SOUTHERN DISTRICT OF TEXAS FOR THE TERM OF 4 YEARS.

KAREN ELIZABETH SCHREIER, OF SOUTH DAKOTA, TO BE U.S. ATTORNEY FOR THE DISTRICT OF SOUTH DAKOTA FOR THE TERM OF 4 YEARS.

WALTER MICHAEL TROOP, OF KENTUCKY, TO BE U.S. ATTORNEY FOR THE WESTERN DISTRICT OF KENTUCKY FOR THE TERM OF 4 YEARS.

ERIC HIMPTON HOLDER, JR., OF THE DISTRICT OF COLUMBIA, TO BE U.S. ATTORNEY FOR THE DISTRICT OF COLUMBIA FOR THE TERM OF 4 YEARS.

STEPHEN CHARLES LEWIS, OF OKLAHOMA, TO BE U.S. ATTORNEY FOR THE NORTHERN DISTRICT OF OKLAHOMA FOR THE TERM OF 4 YEARS.

VICKI LYNN MILES-LAGRANGE, OF OKLAHOMA, TO BE U.S. ATTORNEY FOR THE WESTERN DISTRICT OF OKLAHOMA FOR THE TERM OF 4 YEARS.

JOHN W. RALEY, JR., OF OKLAHOMA, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF OKLAHOMA FOR THE TERM OF 4 YEARS.

RANDALL K. RATHBUN, OF KANSAS, TO BE U.S. ATTORNEY FOR THE DISTRICT OF KANSAS FOR THE TERM OF 4 YEARS.

PAULA JEAN CASEY, OF ARKANSAS, TO BE U.S. ATTORNEY FOR THE EASTERN DISTRICT OF ARKANSAS FOR THE TERM OF 4 YEARS.

PAUL KINLOCH HOLMES III, OF ARKANSAS, TO BE U.S. ATTORNEY FOR THE WESTERN DISTRICT OF ARKANSAS FOR THE TERM OF 4 YEARS.

LYNNE ANN BATTAGLIA, OF MARYLAND, TO BE U.S. ATTORNEY FOR THE DISTRICT OF MARYLAND FOR THE TERM OF 4 YEARS.

SCOTT M. MATHESON, JR., OF UTAH, TO BE U.S. ATTORNEY FOR THE DISTRICT OF UTAH FOR THE TERM OF 4 YEARS.

EXTENSIONS OF REMARKS

SCARS OF COMMUNISM

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. SOLOMON. Mr. Speaker, I would like to take this opportunity to bring to the attention of Congress and the Nation a remarkable series in the Washington Post, entitled "The Scars of Communism." The four-part series is written by the Post's long-time and outstanding Moscow correspondent, Michael Dobbs.

By surveying the recent situation in the former Yugoslavia, Poland, and the former Soviet Union, Mr. Dobbs has provided the American public with an invaluable service. I don't believe that I have ever seen anything, Mr. Speaker, that so succinctly describes the realities of Soviet communism.

If every American could just read this piece and take it to heart, we would all be better off. Mr. Dobbs skillfully outlines the economic, political, and environmental damage caused by this ridiculous system. But the most enlightening aspect of this report is how Mr. Dobbs connects the reader to the life of the average citizen of these countries and thereby exposes the most significant legacy of communism: The psychological and moral damage inflicted on the citizenry.

These people were not just the victims of a tin pot dictatorship, Mr. Speaker. Communism was something unique. In addition to being tyrannized and brutalized, Communist citizens were forced to abandon all private life. Like dogs to their masters, these people were forced to rely on the monolithic state for virtually everything. On top of this humiliation, they were subjected to relentless, ceaseless lies. All of this is what Vaclav Havel has called the web of mendacity.

This is the essence of Communist totalitarianism, Mr. Speaker, and I feel it has been lost on too many people. This is still relevant because the fight is not over. Over a billion people in China, Indochina, North Korea, and Cuba still live under this colossal repression. Many of the newly liberated countries, notably Russia, are still threatened by reactionaries who would want to take them back to the dark past.

And the battle over the history of Communist systems has only begun in our schools, Mr. Speaker. The view that they just didn't do it right or that it wasn't all that bad or that it was just another run-of-the-mill tyranny are in vogue on the left. Not long ago I heard a certain Sovietologist comment on PBS that Yeltsin's free market reforms threaten the Soviet economic achievements of this century. Achievements. Give me a break.

This view must be countered at every turn, Mr. Speaker, lest our young people learn the wrong lessons of history. And people can start learning the proper lessons by reading Mr. Dobbs' superb series in the Washington Post.

For brevity's sake I would like to insert into the RECORD only the last article in the series, which appeared September 8. However, I urge all Members of this body and every American to read this series in its entirety.

[From the Washington Post, Sept. 8, 1993]

RUSSIAN YOUTH CONSIGN "SOVIET MAN" TO DUSTBIN

(By Michael Dobbs)

KOMSOMOLSK-ON-AMUR, RUSSIA.—The exploits of Ivan Sidorenko and his bride, Dusha, quickly became the stuff of Soviet legend. After a month-long journey from European Russia, by the Trans-Siberian Railroad and then by boat, the two young idealists reached a desolate spot on the banks of the Amur River where—on May 10, 1932—they laid the foundation stone for a new socialist city.

The communist utopia that Ivan and Dusha hoped to carve out of the virgin taiga of the Soviet Far East is now a sprawling, smog-filled industrial wasteland. Named in honor of the Communist Party youth movement, Komsomolsk-on-Amur has one of the highest crime rates in the former Soviet Union. Its factories, which include several huge defense plants, are on the verge of bankruptcy. Its half-million inhabitants are, for the most part, disillusioned and bitter.

"My grandparents thought they were building communism. Of course this was all nonsense," said Olga Sidorenko, 18, who was born and raised in Komsomolsk. "To live here is like committing slow suicide. The only reason we don't move away is because there is nowhere else to go."

A student in computer studies at the Komsomolsk technical college, Olga says she "respects" her grandfather Ivan, who died a hero's death in 1942, defending the city of Stalingrad from Nazi invaders. But she is barely on speaking terms with her grandmother, Dusha, now 82, who was showered with honors as one of the "first builders" of Komsomolsk and lives a few blocks away. Their points of view are just too different.

The is the final article in a series examining the legacy of communism, an ideology that, from the center of Europe to the Pacific Ocean, has left political, environmental and psychological scars that will almost certainly haunt Russia and its neighbors well into the next century. Based on a week-long visit to Komsomolsk, one of a handful of Soviet cities that are the pure products of the communist era, this story looks at the results of the most ambitious ideological experiment of all—the attempt to create a new type of "Soviet Man."

Built at the height of the Stalinist terror, Komsomolsk was out of bounds to foreign visitors until the collapse of the Soviet Union in December 1991. Today, the city that was regarded by Soviet ideologists as a laboratory for the construction of a communist society is attempting to break out of six decades of enforced isolation. It has been a frustrating, jarring experience, tinged with a hope—particularly among younger people—that life will eventually improve.

"You have to remember that there were always two iron curtains," said Oleg Mospak, 38, a journalist who recently launched a newspaper, Komsomolsk Entrepreneur, that specializes in classified ads. "There was the Iron Curtain around the Soviet Bloc and then there was a second iron curtain around places like Komsomolsk. We lived in a closed city within a closed country."

Ironically, the type of human being that has emerged from this sociopolitical laboratory has turned out to be almost the precise opposite of the type the ideologists had in mind. The communists strove to create a country of true believers, members of a disciplined collective dedicated to carry out the egalitarian ideas of Marx and Lenin. Instead, they produced a generation of cynics who regard the state as a hostile, utterly alien body and are interested only in their own private happiness.

"My generation doesn't believe in anything—Lenin, God or anything else," said Olga Sidorenko. "We don't expect anything at all from the state. We know that if we want to make a success of our lives, we will have to rely only on ourselves."

"For the earlier generation, ideals were important, but now it's quite the opposite," said Sergei Basharin, 20, a third-year student at the Komsomolsk technical college. "We are just interested in finding ways of achieving a comfortable standard of living—to have an apartment, a car, to be able to start a family."

PRISONERS AND PEASANTS

A portrait of her dead husband stares down from the wall of Dusha Sidorenko's apartment in the center of Komsomolsk. A stern-looking figure dressed in military uniform, Ivan Sidorenko was held up to generations of local schoolchildren as a model Soviet citizen. Streets and schools have been named in honor of the fallen Bolshevik.

According to Soviet propaganda booklets, Sidorenko's early exploits included the Stakhanovite achievement of mixing 937 loads of cement in a single shift as commander of the 1st Komsomol Red Guard Crack Battalion in Ukraine. This was almost double the official target, earning Sidorenko what the propagandists described as "worldwide fame." Such was Sidorenko's devotion to communist ideals that—after marrying the bright-eyed Dusha at age 25—he immediately established a commune.

"There were five families living in the same house, which we built together. We shared everything, including clothes. If you needed some boots, you put on the first pair that fit," recalled Dusha, whose father and grandfather both perished in the Russian Civil War of 1920–22. "Okay, things didn't turn out the way we expected, but I don't regret anything. We gave everything we had to the movement. We worked day and night for an ideal. We all believed in Lenin."

Sidorenko and his comrades were glorified by the Soviet state for more than half a century as the "first builders" of Komsomolsk. It took the collapse of communism to reveal that the myth was largely a lie. The propaganda pictures of brigades of enthusiastic young communists deliberately concealed a much bigger army of convicts and political prisoner. There is some evidence that these slave laborers actually prepared the ground for the arrival of the "first builders."

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

"Practically everything that was written in those history books was untrue," said Sidorenko's daughter-in-law, Tamara, whose own parents were among the millions denounced as "enemies of the state." Arguments over the falsification of history are one of the main reasons why Tamara, 48, and her daughter, Olga, now have little to do with Dusha. Vasily Sidorenko, Tamara's husband and Ivan and Dusha's son, died several years ago.

According to recently published documents, Komsomolsk was one of the centers of the vast prison camp system known as the gulag. In the two decades between 1933 and 1953, when Joseph Stalin died, nearly a million people passed through the camps in the Komsomolsk region. Hundreds of thousands died as the result of disease and malnutrition.

The other principal source of labor for the construction of the gigantic defense factories, pompous public buildings and squalid apartment blocks of Komsomolsk was the peasantry. Robbed of their land during the collectivization drive of the early '30s, the former peasants streamed into the cities in search of work. Paid starvation wages, they were in effect part of the forced labor system.

"At public rallies, the Komsomol members kept on boasting that they had built the city. There was never a word about us. We were nothing but slaves. Komsomolsk was built by prisoners and former peasants, like me," said Fyodor Boltov, 69, who has vivid memories of the terrible winter of 1931–32, when the Bolsheviks threw him and his family out of their house and confiscated their four cows and seven horses.

The story of Boltov's family is itself a minor epic, one of the millions of individual stories that make up the tragic tapestry of modern Soviet history. Two of his eight brothers were killed during the first wave of violence against the peasants. Another two died of starvation during the famine that followed the collectivization campaign. Boltov himself served four years in prison for stealing a handful of grain. His father was arrested as an "enemy of the people."

"They promised us a bright, wonderful future. We waited and waited, but it never came," said Boltov, who bottled up his hatred of the communist system, keeping his experiences a secret even from his son until just a few years ago. "Later, they wanted me to join the [Communist] party. But this would have been a betrayal of all those who died—and I refused. How could people like me believe in the ideals of this society when so much force was used against us?"

THE "LOST GENERATION"

Born in 1945, as Soviet troops were sweeping toward Berlin, Tamara Sidorenko belongs to what is sometimes referred to as the "lost generation." These are the people who were too young to experience the full force of Stalinism—with its mixture of terror and idealism—but too old to shake themselves free of the Soviet collective mentality. They were brought up to believe in communism, only to discover that it was a false god.

"You can put a cross on our generation," said Tamara, a teacher at a local high school. "We were completely dependent on our parents. They told us what we could do and what we couldn't do. They never told us what happened during the Terror. Even so, we grew up in an atmosphere of fear. We were afraid of everything. It never occurred to us to try to challenge the system. As far as we were concerned, it was unchangeable."

Unlike Germany, where Nazism collapsed as a result of a military debacle, Russia had to pay the price of victory in World War II. Undefeated on the battlefield, the communists remained in power for another 45 years, using the vast natural resources of the world's largest country to prop up an increasingly bankrupt system. It was not until nature and people were brought to the brink of total exhaustion that the entire totalitarian edifice came crashing down.

For the "lost generation," the realization that the Soviet system let them down is a comparatively recent one. It is the result of the campaign of glasnost, or openness, launched by Soviet leader Mikhail Gorbachev in the late 1980s in his unsuccessful attempt to reinvigorate the country's faltering economy. The scorn for the system is expressed by the Russian slang expression Sovok, which sounds like "Soviet" but means "dustpan" in normal language.

A Sovok is "Soviet Man"—not as the ideologist conceived him, but as he actually turned out. A Sovok is lazy, irresponsible and submissive, the passive receptacle of decades of Soviet propaganda. Outwardly respectful of authority, a Sovok will think nothing of stealing from the state or cheating his neighbor. A Sovok is everything Russians despise about themselves. The Soviet Union may have collapsed, but middle-aged Russians say it is impossible to rid themselves completely of the Sovok mentality.

"I still feel the Sovok psychology—the narrow-mindedness, the lack of freedom, the bitter disappointment, the feeling that life has passed us by, that we have been cheated," said Alexander Markov, 42, the editor of Komsomolsk Entrepreneur. "We were convinced that our country was the best place on Earth, that the Americans wanted to bomb us. All this was hammered into us from an early age. We sincerely believed."

In most cases, the discovery that Communist ideology was a fraud led to cynicism. Occasionally, however, it produced the opposite extreme—a complete rejection of socialist ideals. Vladimir Barishev, for example, graduated from a police academy in 1980 as a fanatical believer in Marxism-Leninism. Dispatched to Komsomolsk for practical training, he seemed set for a brilliant career as a police investigator. The gulf between the theory of police school and the reality of life in the crime capital of the Soviet Far East shocked him.

"I became a victim of my own convictions. When I found out about crime in high places, they told me to mind my own business. When I complained that prisoners were being used as a source of cheap labor, they said I was too inquisitive," said Barishev, 33, who now works as a public defender at a very low salary. "I believed blindly in Gorbachev, but eventually I understood that the system cannot be reformed."

Barishev's idealism has cost him dearly. If he had stayed in the police, he would probably have his own apartment by now. Instead, he lives with his wife and two children in a 9-by-12-foot rented room in a communal apartment.

NO POLITICS, PLEASE

Age 10 when Gorbachev came to power in 1985, Olga Sidorenko belongs to the first generation of Russians to be raised in an atmosphere of freedom. By the time she went to high school, teachers no longer felt the need to lie to their pupils. At home, parents no longer felt compelled to hide the trust about the Stalinist terror. Hers is the first generation not to know fear.

"Fear?" Olga asked incredulously, when a visitor suggested that old ways of thinking would take a long time to die. "What is there to be afraid of?"

If there is a cause for moderate optimism about the future of Russia as it emerges from seven decades of totalitarian rule, it is in the attitudes of the new generation of Russians. Hopes of a swift transition from dictatorship to democracy have been dashed by economic turmoil and ethnic upheavals. It is now clear that real change in Russia—and the rest of the former Communist world, for that matter—will be a generational change.

Their parents and grandparents may feel bitter or nostalgic about the past. But what is most striking about the new Russians is precisely the absence of nostalgia, the mistrust of great ideas and great experiments. Just as their shattering defeat in World War II inoculated a generation of Germans against the ideas of Hitler's National Socialism, self-inflicted economic disaster seems to have persuaded a new generation of Russians to turn its back on utopia.

Both the far right and the far left have made great efforts to persuade young people that democracy is unsuited to Russia's autocratic traditions. So far, however, they appear to have had little success. A recent opinion poll of the 21–29 age group showed that only 7.5 percent have any sympathy with the national-patriotic and Communist groups that dream of reviving a great empire. Most young Russians are completely apolitical.

"As soon as someone begins a conversation about politics in our institute, everybody else turns away in disgust," said Olga Sidorenko, echoing a widespread opinion. "None of the present politicians is worth voting for. Yeltsin promised us a lot, but he too has given us very little."

If there is a sense of yearning among young people, it is a yearning for a normal life. "My parents slaved all day for a pittance and ended up with nothing. I want to live better than they did," is a typical comment.

A native of St. Petersburg, Sergei Basharin enrolled at the Komsomolsk technical college to study aeronautics. A few years ago, he would have automatically found a prestigious job at the Komsomolsk Aviation Factory, which used to churn out Su-27's, one of the Soviet Union's most sophisticated fighter jets. But the factory has fallen on hard times and will soon be laying off workers.

"I now realize that there is no future in planebuilding," said Basharin, who plans to go into "business" when he leaves college next year. Through a series of clever trading deals, the 20-year-old student already earns more money than both his parents. He buys clothing at relatively low prices in European Russia and sells it for a high markup in the Far East.

The pragmatism and sense of initiative displayed by budding entrepreneurs like Basharin are impressive. But there is a darker side to the youthful obsession with making money. In their hankering for a Western standard of living, many youngsters are willing to engage in semi-criminal activities. In the cutthroat world of Russian business, in which traders outnumber producers 10 to 1, profit is frequently little different from extortion.

"There is no set of strict moral codes any more," said Masha Volkenstein, 40, a Moscow-based sociologist, who is otherwise encouraged by the spirit of tolerance among young people. "There is a criminal element in much of this commercial activity. To be successful frequently means to get involved with the racket, and that is worrying."

For the new entrepreneurs spawned by Russia's chaotic lurch toward capitalism,

however, the gift of freedom is more important than the fear of anarchy.

"Marx insisted that everybody had to be equal. He did not give people the right to fail," said Mospak, the founder of Komsomolsk Entrepreneur. "Now we have the right to fail or to succeed. It's up to us. This is an idea that is entirely new in our society."

A TRIBUTE TO THE MEMORY OF MILTON O. THOMPSON

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the passing of Milton Thompson, a longtime engineer and a pioneer in the U.S. space program. Milt died on August 6 after a 37-year career with the National Aeronautics and Space Administration [NASA] and its predecessor organization, the National Advisory Committee for Aeronautics. At the time of his death, he was serving as the Chief Engineer of NASA's Dryden Flight Research Facility at Edwards Air Force Base in California.

Milt Thompson was born in Crookston, MN, on May 4, 1926, and began flying with the U.S. Navy as a pilot trainee at the age of 19. Following 6 years of active duty flying in China and Japan during World War II, Thompson continued flying while pursuing a degree in engineering from the University of Washington. Following his graduation, he worked as a flight test engineer for Boeing Aircraft, and later for Dryden as an engineer.

Milt Thompson joined NASA in 1956 and was one of the 12 pilots to fly the famous X–15 rocket aircraft. As one of the 12 NASA, Air Force, and Navy pilots to fly the X–15 rocket-powered research aircraft between 1959 and 1968, Thompson flew the aircraft 14 times, reaching a maximum speed of 3,723 miles per hour and a peak altitude of 214,000 feet. His participation in the X–15 program resulted in a wealth of data on aerodynamics, thermodynamics, propulsion, flight controls, and physiological aspects of high-speed, high-altitude flight.

In 1968, Thompson concluded his active flying career and became Director of Research Projects at Dryden. In the 1970's he served as a member of NASA's Space Transportation System Technology Steering Committee and was later recognized for his work by receiving NASA's highest award, the Distinguished Service Medal.

"Milt Thompson was one of those extraordinary individuals that comes along once every 100 years," said Kenneth Szalai, Director of the Dryden Flight Research Facility. "He was one of the Right Stuff gang, but he was a humble man with absolute integrity. He was the finest person I have worked with in my 30-year career."

Mr. Speaker, I ask that you join me, our colleagues, Milt Thompson's family, and friends in honoring this remarkable pioneer. His contributions have touched the lives of many people and it is indeed fitting that the House recognize him for his lifetime of service and for paving the road to future space discovery and exploration.

MEMORIAL DAY TRIBUTE DELIVERED BY NANCY J. ECKERT

HON. PAUL McHALE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. McHALE. Mr. Speaker, I would like to submit this speech delivered by Nancy J. Eckert, RN, at the Memorial Day ceremonies of the Bethlehem Steel Corp., Bethlehem, PA, on May 31, 1993. Ms. Eckert, a former combat nurse in Vietnam, is currently Research Nurse Coordinator of the Neurosciences Center at Lehigh Valley Hospital. She served with the 93d Evacuation Hospital and is now a member of the Vietnam Veterans of America Chapter 415. In addition to being the primary speaker, she was the first woman and first Vietnam veteran to deliver an address at the commemorative ceremonies. I had the privilege of being present during this stirring speech, and I submit it in the hopes that all of my colleagues can share in this inspiring Memorial Day tribute.

REMARKS BY NANCY J. ECKERT, RN

Good evening. And welcome home!

As a woman, it is a real honor for me to be with you today, because the great tradition of Memorial Day began quietly with American women.

They came in the spring of the year, to the graves of soldiers, both north and south. The battlefield was silent. And upon the graves of the soldiers, the women scattered spring flowers, to offer beauty and peace to those who had perished in the ugly horror of combat.

The great Civil War was but three years gone when General John A. Logan took note of this memorial tribute and named May 30 as a special day to honor the graves of Union Soldiers.

Nearly two centuries later, we have come again to scatter flowers on the graves. The roster of battlefields has sadly grown over the years. Antietam and Gettysburg, El Caney and San Juan Hill. Belleau Wood and Chateau Thierry. Anzio and Corrigedor, Bastogne and Guadalcanal, Normandy and Bataan. Pearl Harbor and Midway. Pusan, Chosan, and Pork Chop Hill. Chu Lai, An Ke, Tay Ninh. Lebanon. The Persian Gulf.

Once again the battlefield is silent. The musket and missile, the cannon and carbine, the machine gun and mortar have been put away, leaving us only with the caisson bearing the memory of the flag-draped caskets of our brothers and sisters in arms. These were ordinary men and women who answered their nation's call, who served with dignity and perished in a thousand and more battles, large and small, some with names that will forever be remembered and many with names long forgotten, around the globe. It is upon their graves that we scatter flowers today.

The passage of time has thinned our ranks, but not our memory of what combat is all about. It may be heroic, but is hardly glamorous. It may be noble, but it is terrifying. It may have a purpose, but in the end seems so senseless a means to settle differences.

We stand here, on this sacred ground, to touch those awful memories so that we may express to our fallen comrades that peace—and freedom—was worth the price. We stand here, to scatter the flowers of spring, comforted that the mournful call of "Taps" is for a generation past, and not our own sons and daughters.

Perhaps we even feel a little anger about what this holiday has become. A day off from work, or for nurses like myself, time-and-a-half if we're on duty. The backyard barbecue. The big sale at the mall. An automobile race in Indiana. The beginning of an American summer.

But these little frivolities are the symbols of what our days on the battlefield were all about. For all our loved ones: security, and comfort, and freedom. And peace. It is only right, however, that we pause, if only for a moment, to honor those who gave their lives as well as those of us who have gathered to scatter the flowers of spring.

It is my honor to stand here today as a nurse who served in Vietnam, representing the many combat nurses over the years who struggled in sometimes terrible conditions to save the lives of men who fell on the field.

But sometimes, nurses themselves became victims.

Margaret Nash of Wilkes-Barre was a Navy nurse stationed in the Philippines during World War II. Taken prisoner, she spent forty-one months in Santa Tomas, where her weight fell to just seventy pounds, and she contracted tuberculosis. She and the other nurses lived on berries and the few extra rations given to them by a compassionate guard. The conditions were deplorable. Although she was never beaten or tortured, there was little humanity in her care.

One morning, after forty-one months of clinging to survival, the prisoners learned that the lives of all were about to end. In a remarkable twist of fate, General MacArthur dropped paratroopers and the prisoners were rescued. Margaret Nash, RN, was pictured holding a young child in her arms. She was returned to the United States where she spent many months struggling to regain her health and strength.

Fifty quiet years later, she died, and they laid spring flowers on her grave. But no one knows the true anguish in her heart.

Women, too, answered the bugler's call in Vietnam. I was among 264,000 women who served voluntarily during the Vietnam Conflict. We were Red Cross volunteers, clerical workers, journalists, entertainers, flight attendants, doctors—and 10,000 of us were nurses who served in Vietnam.

We came from every state in this great nation, but above all, we were volunteers. We cared for those who bore the wounds of battle, and like many we come home to try desperately to make meaning of it at all.

I would not be a nurse unless I gave you instructions and directions. So that I won't let you down, here is your prescription. At the conclusion of this ceremony, I'd like each of you to step to this magnificent memorial. Choose a branch of service, and tell the person next to you all that you can remember about your experience. You want to pass on the memory.

This is Memorial Day, and a time to honor memories.

I'd like to share with you my own memory, the sort of memory I'd like you to share.

Eight women died in Vietnam. Two of them were from Pennsylvania. One died while on duty as a result of hostile fire.

At 5:55 AM, a rocket fell through the roof of the hospital and killed a nurse on duty. With her that morning was a young lieutenant, a male nurse from Webster, South Dakota. The nurse who died was a volunteer.

The nurse who survived was a draftee. He has spent his life unable to accept this event. He has not been able to soften the hate and anger in his heart. Why would a lovely person, so willing to help others, lose her life to the ravages of war? Why was he, a draftee, spared?

At the same time, a young soldier from Easton, who is here with us today, was on bunker patrol as a member of the Americal Division. As the rockets landed he was not sure where they were hitting. Later he learned the hospital had been hit, and a nurse killed. He said to himself, "This can't be. Nurses are always safe. How can a nurse be killed?"

Over the years, he has asked this question again and again: "I was on duty and this happened. Why? Why?"

The story ends at the pen of a young show girl from Lincoln, Nebraska, who kept a diary. The very last entry reads: "June 8th, 5:55 AM. There were explosions around us, and then the first American nurse on duty was killed. O God, why did you take a nurse? She is too worthy. Why did you not take me instead?" She could never make another entry in that diary, and the pain lives with her still.

The nurse who perished that day: Lt. Sharon Lane, Ohio. Vietnam Wall, Panel 23 West, Line 112.

A memory. A memorial. A day of remembrance. A time to remember and a time to let go, a time to honor all the men and women who died in service to their country. A time to express pride in our veterans and to again welcome them home.

High and clear and true in the echoes of the guns, a bugle lifts the old, old notes of "Taps," the lullaby for the living soldier, and the requiem for those who have passed on. Save for the bugle, the battlefield is silent.

Yet we hear the steady beat of the drum, again in the distant places, and we pray that the world will never know what we, and those laid to rest here, knew so well. We pause to listen to the faraway call to arms and a tear comes to our eye. Upon how many more graves must we scatter the flowers of spring? How many more battlefields must be added to the roster?

We wipe the tear away, and we lift our chins. We have scattered the flowers of spring. We were, and will always be, soldiers. Citizens of a free land, warriors in time of need, guardians of a great heritage, answering the roll call in the great battalions and regiments of history.

But always soldiers.

And we will answer duty's call for as long as it takes and for as often as it takes to protect that which we hold dear: Freedom. America. And the memories that dwell in this sacred ground.

NATIONAL ENDOWMENT FOR THE ARTS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. BEREUTER. Mr. Speaker, this Member commends to his colleagues the following editorial from the September 12, 1993, Omaha World Herald regarding recent actions by the National Endowment for the Arts:

ARTS AGENCY BLEW CHANCE TO SHOW IT GOT THE MESSAGE

Arrogance is almost limitless among some of the self-described artists who feed on federal tax dollars. And among the liberal elites who defend them.

Consider Elizabeth Sisco, one of the people who handed out $10 bills to illegal immigrants in Southern California. And consider Hugh Davies, the San Diego museum official whose museum funded the giveaway.

When the National Endowment for the Arts quite correctly said federal money shouldn't be used for the handouts, Ms. Sisco and Davies defiantly rose to the defense of the indefensible.

Ms. Sisco accused the arts endowment of suppressing her art for political reasons. She implied that the agency's decision was intellectually dishonest. Davies pledged that other funds would be found. He lamented what he called the intimidation of the arts and insinuated that the endowment had been forced to withdraw its funds because it is subjected to unreasonable scrutiny.

"I know of no other agency that is under such scrutiny," he said.

Nonsense. Even if the endowment were under more scrutiny than the Defense Department or the House Post Office, which it isn't, handing out public funds to illegal immigrants and calling it art would be a slap in the face of all serious artists, to say nothing of a slap at taxpayers.

The arts endowment may have done the right thing, but it did so grudgingly. It said $10 bills are not allowable expenses under the heading of art supplies, an explanation that seemed contrived to avoid criticizing the project itself. Indeed, NEA spokesman Josh Dare praised the project.

"Those three artists are very good at, and I give them credit for, choosing art to create public dialogues," he said. "If art is supposed to create discussion and dialogue about the issues of the day, then touche."

Dare thus blew a chance to show that the arts endowment is finally getting the message: More than a few Americans are sick and tired of having their money spent for obscenities and political statements by people who call themselves artists.

We here at World-Herald Square appreciate the works of Titian, Gezanne and Monet as much as anyone. We resent it when Americans who call junk junk are dismissed as nitwits. Regrettably, it seems there are always people who take a condescending attitude toward Middle American perceptions. That is their right, but that right doesn't extend into a claim on the federal treasury.

They never back down, however. A museum director defends a photo of a crucifix in a jar of urine. Curators praise an exhibit of simulated barnyard manure. Photos of sexually-perverted activity draw glowing reviews. And now a cash giveaway to illegal aliens is defined.

With every new instance, these people bring the National Endowment for the Arts a step closer to its doom.

KILDEE PAYS TRIBUTE TO OUR LADY OF LEBANON MARONITE CATHOLIC CHURCH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the U.S. House of Representatives to join me in paying tribute to a house of worship in my hometown of Flint, MI, Our Lady of Lebanon Maronite Catholic Church, which is celebrating its 20th anniversary on Sunday, September 26, 1993.

From its founding 20 years ago, Our Lady of Lebanon has continued to grow and is now a focal point in the community for religious worship. The church began with the American Lebanese Morning Star Society meeting with the Maronite bishop to discuss forming the church in this area. The first mass was celebrated on August 26, 1973. In 1974, 8 acres of land were purchased on which the church would be built. Finally, on June 25, 1975 ground was broken on the site of the permanent church center. The dedication of this fine house of worship took place on November 20–21, 1976. From this beginning the church has become the focal point for many activities in the community. An annual Mid-East Festival has been held on the grounds serving as a fundraiser and presenting an opportunity for fellowship. The parishioners have been active in developing programing for the young people in the church. They were challenged with the statement that young people are the future of any organization, so dedicated members began religious education classes.

Now, 20 years later, new generations of parishioners are attending services and perpetuating the growth of the church. It has truly been blessed with committed parishioners and clergy to spread the word far and wide. Mr. Speaker, it is indeed an honor and a pleasure for me to rise today in the U.S. House of Representatives to pay tribute to Our Lady of Lebanon Maronite Catholic Church. The church and its parishioners are a beacon of light in our community providing fellowship and understanding. As it enters its third decade, I wish it many more years of growth and prosperity, bringing the word of God to our community.

THE NATIONAL DRUG POLICY ACT OF 1993

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. EDWARDS of California. Mr. Speaker, today I have introduced the National Drug Policy Act of 1993 (H.R. 3100), legislation which asks the country to step back and evaluate where we stand with respect to our war on drugs.

H.R. 3100 would create a bipartisan National Drug Control Commission composed of 12 members, appointed by the President of the United States as well as the Senate majority and minority leaders and the House Speaker and House minority leader. The Commission would bring to bear on the drug problem the expertise of those involved at the everyday level—law enforcement officials, medical professionals, judges and district attorneys, drug rehabilitation workers, and academics—people who know what works and, perhaps more importantly, what doesn't. Members of the Commission could make objective recommendations for our national drug control strategy, free from the political pressures faced by elected officials.

It is obvious that the drug crisis continues to extract an immense economic and human cost

from society, and that our current efforts are falling woefully short of what is needed.

Federal spending on drug control initiatives has increased nearly tenfold in a little more than a decade from $1.5 billion in fiscal year 1981 to $13 billion proposed for fiscal year 1994. Yet, a 1992 study estimated the cost of drug abuse to the U.S. economy was at least $76 billion in 1991, nearly double the estimated price tag 7 years before. Projections show the cost could climb to as high as $230 billion by 1997.

The U.S. Chamber of Commerce claims the costs to society are even higher, saying drugs cost businesses $160 billion annually in lost productivity, higher medical bills, absenteeism, theft, and injury.

The administration last week called for a new approach to international interdiction, citing a National Security Council study which shows our current policy's failures despite $1.1 billion being spent annually by the Pentagon.

Mandatory minimum sentencing, part of a strategy of setting severe penalties for drug offenses, has swamped the courts and overwhelmed our Federal prisons. Since 1980, the Federal prison population has tripled and is projected to quintuple by the year 2000. More than half of new arrivals are drug offenders, many firsttime, nonviolent offenders.

Despite the intensification of efforts in international interdiction, law enforcement, and drug rehabilitation and education, our strategy has been motivated too often by politics and too seldom by any certainty as to what approach will actually bring results. There is growing awareness across the country and the political spectrum of the need to candidly reevaluate our drug control efforts.

The Hoover Institution, in a February 26, 1993, resolution, cited our failed current policies in calling for a Commission to recommend a new approach. Their resolution has been endorsed by mayors, chiefs of police, U.S. district judges, as well as Dr. Milton Friedman, a conservative Nobel Prize winning economist, and former Secretary of State George Schultz.

Mr. Speaker, I would welcome the support of my colleagues for this initiative. It's time we stop throwing away the taxpayers' money on solutions that sound good but don't work, and start investing in methods that can produce real results. The Commission will help us to plot a course that can succeed.

WE WILL NOT STAND FOR HUMAN RIGHTS ABUSES

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. FISH. Mr. Speaker, this Thursday, the International Olympic Committee is expected to meet to decide on the site of the 2000 summer Olympic games. For the benefit of my colleagues, I recommend the following September 18, 1993, New York Times op-ed article by Robert Bernstein, chairman of Human Rights Watch. I strongly urge the Olympic Committee, especially our American delegate, Anita DeFrantz, to vote against holding the 2000 summer games in China. China's human rights record clearly disqualifies its selection. America's traditions and values dictate our response.

TORTURE IS NOT AN OLYMPIC SPORT

(By Robert L. Bernstein)

The Chinese are trying so hard to induce the International Olympic Committee to select Beijing for the summer Olympics in the year 2000 that they have promised to inscribe the names of the committee members on a monument on the Great Wall.

They are offering to pay transportation, room and board for the thousands of athletes and officials who will participate.

Simultaneously—and characteristically—they have decreed that no Chinese citizen will be allowed to oppose Beijing's bid.

The committee meets Thursday in Monte Carlo to choose the Olympiad site. Its problem is whether it can ignore China's appalling record of human rights abuses. Since the games began in Greece, the Olympics have been synonymous with remarkable human achievement. They celebrate the body and spirit as athletes prepare for years to compete.

Despite widespread public concern, despite opposition from human rights groups, scores of members of Congress and the European Parliament, the committee has tried to deflect or stonewall consideration of China's egregious human rights record.

Juan Antonio Samaranch, the president, while occasionally mentioning the importance of human rights, carefully makes no institutional commitments to that importance.

Committee members, including the one American delegate, Anita Defrantz, have argued that because virtually every government is responsible for abuses, it is wrong to single out any one country's record.

In addition to denying the most basic notion of universal human rights, this argument falls to distinguish even the handful of regimes responsible for gross government-sponsored abuses.

China has spared no expense or flattery to gain this all-important political objective. It has not, however, improved its human rights practices. It named Chen Xitong, former Mayor of Beijing—the man who authorized martial law in May 1989—as the head of the Olympic bid committee.

This attitude goes hand in hand with long-term sentences and physical and mental torture of dissidents. Liu Gang, a physicist who was No. 3 on the list of "most wanted" student leaders, was dealt a six-year sentence for trying to guide the students in Tiananmen Square. He has been burned with high-voltage cattle prods. He has been forced to sit on a bench facing a blank wall for 12 to 14 hours a day for weeks at a time, beaten by guards when he moves. Such practices are widespread in Chinese prisons. If wall-facing were an Olympic event, the record would belong to Liu Qing, a dissident now in America, who survived four and a half years of a 10-year sentence in this position.

Wang Juntao, distinguished journalist and entrepreneur, was sentenced with his colleague Chen Ziming to 13 years in prison after trying to help avoid violence in June 1989. Mr. Wang suffers from hepatitis and heart disease. While world pressure has led to his receiving some medical treatment, the Government said this would continue only if his family paid for it. The list goes on and on.

The Olympic committee cannot plead ignorance of these facts.

The release this week of the democracy advocate Wei Jingsheng, who should never have been arrested, was long past due. Coming just six months before the completion of his 15-year term and nine days before the committee's vote, this is a token gesture of unbridled cynicism. While we welcome his release (he has still not been seen publicly) and the release this week of Wu Xuecan, former editor of People's Daily, they change nothing.

Just four years after the Tiananmen Square carnage, and with the continuing gross violations of human rights, it is astounding to think the committee would award Beijing the Olympics. If it does, it will send a message that China's persecution does not concern it; this "consent" will facilitate further abuses.

Boldness is needed at Monte Carlo. Now and in the future, the committee must make human rights a public part of its selection standards for the games, which confer tremendous prestige and financial gain. Forty-five years after the Universal Declaration of Human Rights and on the threshold of a new millennium, all governments should be on notice that how they treat their citizens is more important than the quality of their sports facilities and hotels.

THE UNITED STATES MUST STAND AND BE COUNTED

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. LAFALCE. Mr. Speaker, the United States has long been the beacon of light and hope to repressed peoples around the world. Other nations recognize this country to be the symbol of human rights, the protector of freedom and democracy. The United States was founded on the principles of individual rights and liberty. Indeed, our Declaration of Independence, Constitution, and Bill of Rights have survived for more than 200 years as living documents and testimony to the wisdom and foresight of our Founding Fathers.

Mr. Speaker, what would our Founding Fathers say if they knew this great country, this global leader, had turned its back on international treaties protecting human rights? That is exactly what we have done.

Three international human-rights treaties have been languishing in the Senate since 1978: The Convention on the Elimination of All Forms of Racial Discrimination; the American Convention on Human Rights; and the International Covenant on Economic, Social and Cultural Rights. A fourth treaty, the Convention on the Elimination of All Forms of Discrimination Against Women, was transmitted to the Senate in 1980. Another treaty and two protocols—the Convention on the Rights of the Child, the Optional Protocol to the International Covenant on Civil and Political Rights, and the Additional Protocol on Economic, Social and Cultural Rights to the American Convention on Human Rights—have not been acted on by the executive branch for forwarding to the Senate.

I believe it is time to ratify—and I am pleased that the Clinton administration agrees. In June at the U.N. World Conference on

Human Rights, Secretary of State Warren Christopher pledged the administration's prompt action on the treaties and emphasized that each of these will constitute important advances. He said that America's support for democracy is an enduring commitment, and respect for human rights and fundamental freedoms is a timeless truth. The Secretary pointed to the many men and women who act upon their principles at great personal risk; who dodge bullets and defy threats to cast their ballots; who work selflessly for justice, tolerance, democracy and peace.

I myself think of the many witnesses from Mexico who have come before my committee, and other congressional committees, who have risked much to come to Washington, and who risk much every day by speaking out in their own country. These are the people whom the treaties seek to support and protect. These are the people whom we must remember when we ponder the implications of these treaties and the merits of ratifying them.

Today, Mr. Speaker, I am introducing a resolution expressing the sense of the House of Representatives on the urgency of ratification of these five international human-rights treaties and two protocols. Too much time has passed. The United States must now stand and be counted. We must show ourselves to be truly on the side of peoples seeking freedom, individual liberty, civil rights, and human dignity. The United States must act now to ratify these documents.

TRIBUTE TO LAURIE BETH FORCIER

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. REED. Mr. Speaker, I rise today to congratulate Laurie Beth Forcier of West Warwick, RI. Laurie has been selected as a district winner of the Veterans of Foreign Wars' Voice of Democracy scriptwriting competition.

Each year thousands of students from across the United States and its territories participate in the VFW's contest. Laurie's essay "My Voice in America's Future," reprinted below, is an eloquent statement about the freedoms and responsibilities we enjoy as Americans, and about the pride she has for her government and country. Her essay stands as an excellent example to her fellow students, and as an important reminder to all Americans.

I ask my colleagues to join me congratulating Laurie Forcier on being named a district winner in the Voice of Democracy competition, and in wishing her continued success in all her academic pursuits.

MY VOICE IN AMERICA'S FUTURE

(By Laurie Forcier, Rhode Island Winner, 1992/93 VFW Voice of Democracy Scholarship Program)

My voice in America's future is a young voice, strong and proud, ringing true for all nations to hear. It stands tall in the face of adversity, and challenges other voices to speak out as well.

My voice represents the youth of our great nation. We are a progressive and innovative young America with strong minds, great hearts, true faith, and ready hands. Ready to experience life, and ready to learn from our errors. But most importantly, we are ready to become the successful new leadership of America. I quote George S. Forest, "Success belongs to those who dare to win it." My voice dares America to take their chance, and to seize success by joining together to fight ignorance and by striving to become a more educated nation.

The first step towards achieving this goal of a more educated nation is learning when to use your voice, and learning when to remain silent so that other voices can be heard. The right for all to express themselves freely is a privilege which all Americans are born with. Therefore we must realize that it is necessary to let others have their say as well, even when we are not in agreement with their ideas. As Justice Oliver Wendell Holmes said, "if there is any principle of the Constitution that more imperatively calls for attachment than any other, it is the principle of free thought * * * not free thought for those who agree with us, but freedom for the thought that we hate."

Justice Holmes was very wise in his words for it is indeed extremely important to insure all people the freedom of expression. For one, it is essential to promoting individual growth and human dignity. Secondly, an individual's freedom of expression is important in their quest for knowledge, and third, freedom of expression is necessary in protecting individual rights. Also, a society's freedom of expression is seen as an imperative part of representative government, and vital to the bringing about of peaceful social change.

Without my First Amendment right of free expression, my voice would be stifled. I would have no say in America's future. Fortunately, with the help of the framers of the Constitution, millions of young Americans, including myself, are being heard. We are setting high goals for ourselves and for the nation.

My voice truly is the representative for the great future of our nation. I believe in the people of the United States of America, and I believe that my voice will succeed. The key to success for all the strong young voices of our country is that we must always look forward, never back, for within ourselves lies the future.

"EXXON VALDEZ" CLEANUP SUCCESS SALUTED

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. SUNDQUIST. Mr. Speaker, it has been almost 4½ years since the *EXXON Valdez* ran aground in Prince William Sound, Alaska. March 23, 1989, marked the first of several costly disappointments in the ability of the American scientific community to effectively remedy marine environmental damage.

During the summer of 1990, two oilspills occurred along the Texas gulf coast which set the stage for the emergence into full view of a promising new technology—bioremediation. A Texas entrepreneurial company with strong Tennessee roots was given permission to treat these oilspills with its biological remediation process. Many of us were hopeful that bioremediation offered a light at the end of a tunnel for dealing with oilspills wherever they might occur.

On December 4, 1990, the Congressional Office of Technology Assessment, of which I am a member, convened a conference of experts and interested parties in the field of environmental biotechnology. The Texas delegation to this meeting consisted of the chairman of the Texas Water Commission, the assistant commissioner of the Texas General Land Office, and the chief scientist of the Texas company which had performed the work along the gulf coast. This Texas delegation presented its story to the experts assembled for this conference.

Even with this briefing, whose hopeful prospects of new technology should have been good news to all, this startling verdict came back to me in writing from our own office of Technology Assessment: "Aside from the Texas group, participants at OTA's bioremediation workshop were not optimistic about the present or short-term future of bioremediation for open water oilspills." Needless to say, I was greatly disappointed in this viewpoint.

Fortunately, EPA and its related organization, NETAC—National Environmental Technology Applications Center—did not give up on the "new technology." Instead EPA launched an extensive multiyear project to examine and validate the technical capabilities of bioremediation products and processes. Included in the EPA study was the same Texas company who had earlier done the work in the Texas gulf oilspills.

Now, several years later, NETAC has released the results of its investigation. I am pleased to note that the hybrid Texas-Tennessee company received high marks for efficacy and speed in the degradation of hydrocarbons, and for safety to marine organisms.

Mr. Speaker, good news in environmental cleanup has been hard to come by since *EXXON Valdez*. I am proud to have been acquainted with several of the independent business entrepreneurs in Texas and Tennessee whose vision and technology are making this progress possible for us all.

NOMINATION OF MORTON HALPERIN

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. SOLOMON. Mr. Speaker, President Clinton has made a very ill-advised decision to nominate Morton Halperin to be Assistant Secretary of State for Democracy and Peacekeeping. A review of Mr. Halperin's record clearly displays that he is not one of the President's "New Democrats." Indeed, Mr. Halperin is a typical new leftist, meaning, a far-left type.

This can be seen in a 35-page pamphlet prepared by the Center for Security Policy, which exposes the reader to Mr. Halperin's thinking by quoting his past works. The dozens of quotations contained in this pamphlet leave no doubt as to Mr. Halperin's ultra-left leanings.

Mr. Halperin has embraced all of the standard far-left causes and has associated with all

of the standard far-left people and organizations of the past few decades. Many of his statements and activities seem downright dangerous for national security. I have no doubt in my mind that if Mr. Halperin were to apply for a security clearance through the normal procedures, he would be rejected. Yet in this position he will gain automatic access to our most sensitive material. This is reason enough to oppose this nomination.

And in addition, Mr. Speaker, Morton Halperin and his ilk got it wrong on the cold war. Plain and simple, they got it wrong.

It is not that Mr. Halperin got it wrong on one issue or had his facts wrong once or twice, it is that he and his leftist friends fundamentally misunderstood the forces that shaped our world during the cold war. He misunderstood the Soviet Union and its intentions. He misunderstood the Third World and the desires of people there. And he misunderstood his own country's role in that war.

He saw our role as pernicious and immoral. But history has shown that our role was critical in containing and then rolling back the most destructive force in this century: international communism. Mr. Speaker, I believe it is more than proper to question the leadership ability of someone whose record shows such a lack of judgment and proportion. Today's world is actually more complex that the cold war era. If Mr. Halperin couldn't understand the world then, isn't it only prudent to question his ability to interpret the world today.

Mr. Speaker, the President ought to withdraw his nomination, in the best interests of the entire country. Barring that, Mr. Halperin should be rejected by the Senate.

I thank the Speaker for the time and would like to insert a few pages of quotes from Mr. Halperin for the RECORD.

NOTABLE HALPERIN QUOTES ON SELECTED TOPICS

ON THE FUNDAMENTAL NATURE OF THE COLD WAR

"The Soviet Union apparently never even contemplated the overt use of military force against Western Europe * * *. The Soviet posture toward Western Europe has been, and continues to be, a defensive and deterrent one. The positioning of Soviet ground forces in Eastern Europe and the limited logistical capability of these forces suggests an orientation primarily toward defense against a Western attack." (Defense Strategies for the Seventies, 1971, p. 60)

"* * * Every action which the Soviet Union and Cuba have taken in Africa has been consistent with the principles of international law. The Cubans have come in only when invited by a government and have remained only at their request * * *. The American public needs to understand that Soviet conduct in Africa violates no Soviet-American agreements nor any accepted principles of international behavior. It reflects simply a different Soviet estimate of what should happen in the African continent and a genuine conflict between the United States and the Soviet Union." ("American Military Intervention: Is It Ever Justified?", The Nation, June 9, 1979, p. 668)

ON U.S. INTERNATIONAL COMMITMENTS

"One of the great disappointments of the Carter Administration is that it has failed to give any systematic reconsideration to the security commitments of the United States. [For example, President Carter's] decision to withdraw [U.S. ground forces from Korea] was accompanied by a commitment to keep air and naval units in and around Korea—a strong reaffirmation by the United States of its security commitment to Korea. This action prevented a careful consideration of whether the United States wished to remain committed to the security of Korea * * *. Even if a commitment is maintained, a request for American military intervention should not be routinely honored." (The Nation, June 9, 1979, p. 670)

ON THE USE OF U.S. MILITARY POWER ABROAD

"All of the genuine security needs of the United States can be met by a simple rule which permits us to intervene [only] when invited to do so by a foreign government * * *. The principle of proportion would require that American intervention be no greater than the intervention by other outside powers in the local conflict. We should not assume that once we intervene we are free to commit whatever destruction is necessary in order to secure our objectives." (The Nation, June 9, 1979, p. 670)

"The United States should explicitly surrender the right to intervene unilaterally in the internal affairs of other countries by overt military means or by covert operations. Such self restraint would bar interventions like those in Grenada and Panama, unless the United States first gained the explicit consent of the international community acting through the Security Council or a regional organization. The United States would, however, retain the right granted under Article 51 of the U.N. Charter to act unilaterally if necessary to meet threats to international peace and security involving aggression across borders (such as those in Kuwait and in Bosnia-Herzegovina.) ("Guaranteeing Democracy, Summer 1993 *Foreign* Policy, p. 120)

"President George Bush's act of putting U.S. troops in a position where conflict could erupt at any moment (Operation Desert Shield), violated an unambiguous constitutional principle * * *" (Co-authored with Jeanne wood, "Ending The Cold War At Home," *Foreign Policy*, Winter 1990-91)

ON THE U.S. DEFENSE ESTABLISHMENT

Referring to the Reagan defense buildup: "Are we now buying the forces to meet the *real threats* to our security? Unfortunately, there is little reason to be confident that we are." (*New York Times*, June 7, 1981, p. 1)

"In the name of protecting liberty from communism, a massive undemocratic national security structure was erected during the Cold War, which continues to exist even though the Cold War is over. Now, with the Gulf War having commenced, we are seeing further unjustified limitations of constitutional rights using the powers granted to the executive branch during the Cold War."

"The military should have no role in the surveillance of American citizens."[1] ("Controlling the Intelligence Agencies," Center for National Security Studies newsletter First Principles, October 1975, p. 16)

ON THE U.S. INTELLIGENCE ESTABLISHMENT

"Using secret intelligence agencies to defend a constitutional republic is akin to the ancient medical practice of employing leeches to take blood from feverish patients. The intent is therapeutic, but in the long run the care is more deadly than the disease. Secret intelligence agencies are designed to act routinely in ways that violate the laws or standards of society." (Co-authored with Jerry Berman, Robert Borosage and Christine Marwick, The Lawless State: The crimes of the U.S. Intelligence Agencies, Center for National Security Studies, Washington, D.C., 1976, p. 5)

"The FBI should be limited to the investigation of crime; it should be prohibited from conducting 'intelligence' investigations on groups or individuals not suspected of crimes." ("Controlling the Intelligence Agencies," *First Principles*, October 1975)

"The National Security Agency should monitor international communications in a way that avoids recording of the communications of Americans." ("Controlling the Intelligence Agencies," *First Principles*, October 1975, p. 16)

"It should be made a crime for any official of an intelligence organization to knowingly violate and/or to order or request an action which would violate the congressional limitations or public regulations concerning the activities of the agencies. Failing to report such violations should also have criminal sanctions * * *.

"The policing of the crimes of the intelligence [agencies] should be in the hands of a single official. . . . He or she should have access to all intelligence community files and should be empowered to release any information necessary to prosecute a criminal offense * * * Civil remedies patterned after those now available for illegal wiretaps should back up these criminal penalties by allowing anyone whose rights have been violated by the intelligence organizations to sue. Such penalties should be set out in a statute and there should be no need to prove actual damage." ("Controlling the Intelligence Agencies," *First Principles*, October 1975, p. 15)

Halperin favorably reviewed Philip Agee's book *Inside the Company: CIA Diary* saying that in it "we learn in devastating detail what is done in the name of the United States." The review made no mention of the fact that the book contained some thirty pages of names of U.S. covert operatives overseas or that the author acknowledges in his preface the help he received from the Cuban Communist Party.

Halperin concluded the review by pronouncing: "The only way to stop all of this is to dissolve the CIA covert career service and to bar the CIA from at least developing any allied nations." (*First Principles*, September 1975, p. 13)

[The following excerpts are taken from a pamphlet published by the Center for National Security Studies in 1976 and entitled "CIA Covert Action: Threat to the Constitution." Morton Halperin is listed as a "participant" in the Center's activities; at the time he was also the Chief Editorial Writer for the CNSS' publication, *First Principles*. Subsequently, Halperin became the organization's deputy director and then served from 1984 to 1992 as its director.]

"In the wake of Vietnam and Watergate, the question must be faced: Should the U.S. government continue to engage in clandestine operations? We at the Center for National Security Studies believe that the answer is 'No'; that the CIA's covert action programs should be ended immediately. The risks and costs of maintaining a clandestine underworld are too great, and covert action cannot be justified on either pragmatic or moral grounds."

Halperin: "Well, I think that's the issue. I think we certainly need to know about the Soviet Union."

[1] N.B. Halperin's prospective responsibilities would include oversight of drug policy in the Pentagon including the U.S. military's activities in the area of drug surveillance and interdiction operations.

Wattenberg: "What about other nations?"

Halperin: "Other nations—I think it's much more questionable as to whether we need that information and whether the price for it is worth paying." ("Two Cheers for the CIA," broadcast 15 June 1978)

ON BEHALF OF EXTREME INTERPRETATIONS OF THE FIRST AMENDMENT

"Under the First Amendment, Americans have every right to seek to 'impede or impair' the functions of any federal agency, whether it is the FTC or the CIA, by publishing information acquired from unclassified sources." ("The CIA's Distemper: How Can We Unleash the Agency When It Hasn't Yet Been Leashed?", *The New Republic*, February 9, 1980, p. 23)

"Lawful dissent and opposition to a government should not call down upon an individual *any surveillance at all* and certainly not surveillance as intrusive as a wiretap." ("National Security and Civil Liberties," *Foreign Policy*, Winter 1975-76, p. 151)

In opposition to draft legislation setting heavy criminal penalties for Americans who deliberately identify undercover U.S. intelligence agents: "[Such legislation] will chill public debate on important intelligence issues and is unconstitutional. * * * What we have is a bill which is merely symbolic in its protection of agents but which does violence to the principles of the First Amendment." (UPI, April 8, 1981)

In criticizing scientists who "refused to help the lawyers representing *The Progressive* and its editors" in fighting government efforts to halt the magazine's publication of detailed information about the design and manufacturing of nuclear weapons: "They failed to understand that the question of whether publishing the 'secret of the H-bomb' would help or hinder non-proliferation efforts was beside the point. The real question was whether the government had the right to decide what information should be published. If the government could stop publication of [this] article, it could, in theory, prevent publication of any other material that it thought would stimulate proliferation." ("Secrecy and National Security," *The Bulletin of the Atomic Scientists*, August 1985, p. 116)

In response to government attempts to close down the Washington offices of the PLO: "It is clearly a violation of the rights of free speech and association to bar American citizens from acting as agents seeking to advance the political ideology of *any* organization, even if that organization is based abroad. *Notwithstanding criminal acts in which the PLO may have been involved*, a ban on advocacy of all components of the PLO's efforts will not withstand constitutional scrutiny." (*The Nation*, October 10, 1987)

A TRIBUTE TO FAYE PAINTER

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of Faye Painter of San Bernardino, CA. In October, the San Andreas Council of Camp Fire Boys and Girls will present Faye with its annual "Friends of Children" award to her in recognition of her furtherance of children's issues.

Faye Pointer is a very special retired social worker who has assumed the leadership of coordinating the Emmerton project, a model in San Bernardino County school-based services. The Emmerton project provides innovative and feasible alternatives to the socially and economically impoverished environment of children and their families living in the Emmerton area. The Emmerton project is a model of multiagency collaboration bringing health and social services to people in need.

To say the least, Faye Pointer is indispensable to the success of this unique endeavor. Her commitment to improving the lives of children and their families, and her personal integrity, have won the praise of parents and residents who have in the past been apathetic or suspicious about service workers offering personal assistance. Her work involves meeting with residents, listening to them, and assisting them in cutting redtape. As a result of establishing solid relationships with local businesses, she has received donations from merchants who recognize the value of her work.

And how effective is Faye Pointer in her work? During the 1992 Los Angeles riots, Faye spent nights walking around the Emmerton neighborhood going door-to-door to help assure that the community remain calm. As a result of her efforts, parents and children are now joining together to seek solutions for themselves and others.

Mr. Speaker, I ask that you join me, our colleagues, Faye's three daughters, and her many friends in honoring this special lady for her dedicated service. Her contributions have touched the lives of many people and it is indeed fitting that the House recognize her today as she receives the Patrick J. Morris "Friends of Children" award.

TRIBUTE TO NORMAN E. BARTH, RETIRING DIRECTOR OF LUTHERAN WORLD RELIEF

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. BEREUTER. Mr. Speaker, I would like to pay tribute today to Dr. Norman Barth, a champion of the world's hungry and someone who for the past decade has been one of the most insistent voices in the United States on behalf of African drought victims. Dr. Barth has served for the past 12 years as the executive director of Lutheran World Relief [LWR], the development and relief organization through which Lutherans in the United States reach out to the poor around the world. His retirement on September 30 caps off 42 years of public and humanitarian service, including 24 years as a U.S. Foreign Service Officer.

Under Norman Barth's leadership, Lutheran World Relief has gained national recognition both for its effectiveness and for its efficiency in providing relief assistance and supporting long-term efforts of the poor in some 40 countries to gain self-sufficiency. In 1988 LWR received the Presidential Hunger Award for "continued demonstrated vision, initiative, and leadership in the effort to achieve a world without hunger." For 4 consecutive years, MONEY magazine has ranked LWR as one of the top relief and development agencies that spend the highest percentage of income on programs.

Beyond the leadership that Dr. Barth has provided within the worldwide Lutheran Church has been his leadership within the community of U.S. private and voluntary organizations. He has served as president of the ecumenical Coordination in Development [CODEL] organization, president of the Interfaith Hunger Appeal, as board member of such organizations as the Overseas Development Council, of the International Development Council, and of the Center for PVO/University Collaboration in Development. He also has served on the executive committee of the American Council of Voluntary International Action.

As Dr. Barth departs Lutheran World Relief, he leaves behind an exemplary organization that combines deep compassion with concern for conscientious stewardship of humanitarian resources. Combining these two dimensions is one of the most urgent relief and development challenges of our day and Americans and people throughout the world are fortunate to benefit from the important contribution made by Dr. Norman Barth. It is this Member's hope that my colleagues will join with me in extending our thanks and sincere best wishes to Dr. Barth on his retirement.

BETH HENDERSON WINS SPEAK FOR YOURSELF CONTEST

HON. PAUL McHALE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. McHALE. Mr. Speaker, I would like to submit this letter written by Beth Henderson, a 15th Congressional District winner in the Speak for Yourself letter-writing contest. Over 12,000 seventh and eighth grade students wrote to their Congresspersons on issues ranging from the environment to homelessness. Miss Henderson was chosen as a district winner and received a U.S. savings bond in recognition.

I submit Beth Henderson's heartfelt letter on racism as a symbol of our youth's concern for equality in this great country. Awareness of our young people to issues such as discrimination is the first step toward social equality.

DEAR REPRESENTATIVE McHALE, I am writing to share a concern I have in regards to racism. Racial differences is an ongoing argument where no one wins. Wars, riots, and innocent people dying are the results of racial arguments. This battle is commonly between adults. Little children don't care who they play with, until an adult influences their decision. Teens also tend to take sides because of the adults in their lives.

If we would break down the barriers between us, crime and murder would decrease tremendously. The fighting seems pointless in our society. It doesn't make the economy better or make us better individuals. Hate is the only result in our fighting. No race is better than the other because nobody is perfect.

The United States is made up of many cultures and we should be proud of that. Education is the answer to this problem. Teaching children the different cultures and what

the results of racism are, is necessary at this point and time. We must lead our children in the right direction, for they are our future.

I am one of the children of the future. I am asking you to promote programs in education that will help make this world a better place for all to live.

Sincerely,

BETH HENDERSON.

CONGRESSMAN KILDEE HONORS HISPANIC AWARD RECIPIENTS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the recipients of the Fifth Annual Hispanic Independence Awards presented in my hometown of Flint, MI.

In 1989 the Hispanic Independence Awards Committee was founded by Estela Mata, Beverly Needham, Ben Mata, and Pete Mata to recognize persons who have dedicated their lives to enhancing the quality of life for Hispanics in Flint and Genesee County. Annually, in conjunction with Hispanic Heritage Month, the committee holds a public ceremony to express the appreciation of the community to those individuals honored. The ceremony will be held this year on Saturday, September 18, at the University of Michigan-Flint.

Each award is named for a prominent deceased member of the Hispanic community who exemplified the ideals espoused by the award. The Pedro Mata Leadership Award is given to a person who has provided leadership, encouragement, and influence in the Hispanic community. This year's recipient is Sixto Olivo. The Tano Resendez Award for Service is given to a person who has dedicated personal efforts to promoting civic and cultural activities. The award this year is being given to Jesse Ascencio. The Joe Benavidez Award for Education is presented to a person who has supported educational issues relating to Hispanics of all ages. Dr. Emilio Arribas is this year's recipient. The Labor Involvement Award is being given to Frank Molina for his efforts to increase community awareness, improve the quality of life and open doors for Hispanics. The Bruno Valdez Arts and Entertainment Award is presented to a Hispanic artist who has promoted Hispanic culture through professional and personal activity. The award this year is given to Miguel Perez. The Veteran's Award is given to a member of the Hispanic community that has served in the U.S. Armed Forces. Epifanio V. Barajas is being honored with the award this year.

To honor those of the Hispanic community just starting to pursue their life goals, the Pedro Mata, Jr., Scholarship Award, the Joe Benavidez Scholarship Award, and the Maria DeLeary Student Involvement Award will be presented to area students of Hispanic descent. The purpose of these three awards is to foster a commitment to community service and encourage continued education.

I ask the Congress to join me in congratulating the winners of these awards. The recipients are to be commended for their dedication, commitment, and leadership to the Hispanic community of Flint and Genesee County.

THE CAPITOL'S KARA ROSES

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. SUNDQUIST. Mr. Speaker, I am sure many of our colleagues have noticed the lovely miniature roses which adorn the Capitol grounds, as well as those of our office buildings. They are called Kara roses, and were named by a gentleman who makes his home in my district in Tennessee, Louis Powell. I thought it was a nice story when his granddaughter shared it with me, and wanted to share it with my colleagues.

Mr. Powell is a prominent rosarian in Memphis. Some years ago, he was contacted by a rose breeder in California who had developed a miniature rose for which he needed a name. Louis Powell suggested the name of his granddaughter Kara—meaning dear little one.

Kara's sister, Elise, noticed that these distinctive roses are planted here on Capitol Hill and couldn't help but think of them as a tribute to her grandfather and sister, both of whom make their home in Shelby County.

We too seldom pause to take note of the beauty around us and to thank those who make it possible. Let this be a small token of thanks to the man who named the Kara rose, the young woman who inspired it, and the sister who brought their story to our attention and focused our glance for a moment on the natural beauty around us.

TRIBUTE TO JUDGE JAMES E. ROGAN

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. MOORHEAD. Mr. Speaker, I rise today to pay tribute to Glendale Municipal Court Presiding Judge James E. Rogan for returning $682,000 to Los Angeles County from the court's $4.78 million budget.

This enterprising venture is due to Jim's cost cutting and fiscally responsible leadership. Looking for ways to cut spending, Jim first reviewed the unofficial process of "spending all you got" in order to receive the same amount of money in next year's budget. Savings were found by not filling unnecessary staff positions to streamlining operations and purchasing measures used by the court. All too often, unnecessary amounts of money are spent due to pressures and expectations. There is not one of us here today that cannot point out wasted dollars at the local, State, and Federal level. Jim did not just talk about savings, he proved to all of us that if one takes the time to look at how monies are spent, savings are possible.

All government officials must be willing to risk change. In an age of bloated budgets and high spending—in an economy which cannot support such spending—Jim's achievement should be held as a model. Efforts equal results. In Jim's case, his efforts equaled nearly $700,000 in results.

This remarkable feat has won Jim and the Glendale Municipal Court many accolades, press exposure, and an award by the Los Angeles County Board of Supervisors. I am honored, today, to add my name to this growing list.

RECOGNIZING DUANE LANTZ

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. ROEMER. Mr. Speaker, it is with great pleasure that I rise today in recognition of a distinguished servant to the State of Indiana, Mr. Duane Lantz, who—after nearly 40 years of tireless service—has retired as the State chaplain of the Indiana Volunteer Firemen's Association [IVFA]. He truly exemplifies the unique spirit of Hoosier dedication and community service.

Born on April 2, 1916, Mr. Lantz began his path toward the pinnacle of the State firefighting community in 1955. Always interested in helping his community, he began his firefighting career when he volunteered for the Scipio Township Fire Department in LaPorte County, IN. While other firemen may have been younger in age, Mr. Lantz demonstrated a competence and vigor that clearly set the standard for area firefighters. His fine work and potential for leadership could not go unnoticed for long, and by 1956 he was already elected by his peers to be chairman of the Indiana Volunteer Firemen's Association District 3.

While the honor of being district chairman was a fine testament to his abilities, Duane Lantz' star of community service was still to rise. In 1963, he was chosen to be the IVFA State chaplain—a post in which he would serve with distinction for another 30 years. It was in this position that Mr. Lantz made his greatest contributions to the Hoosier State. Always a strong advocate of volunteer fire services, he used the chaplaincy to advance the cause of firefighting on behalf of those who make a personal commitment to maintaining public safety. Throughout his tenure as chaplain, Mr. Lantz left his mark on almost every corner and small town in Indiana—everywhere lending credit to firefighters and their lifesaving work.

Mr. Lantz also used his post as a way of honoring those firefighters who gave their lives in the line of duty. In addition to holding services and tributes for any departed fireman, he also played an instrumental role in obtaining death benefits for the families of fallen firefighters. By carrying out his solemn duties, Mr. Lantz instilled a seriousness of purpose and sense of common cause within firefighters all across Indiana.

While serving as IVFA State chaplain, Mr. Lantz received awards from the highest levels for his selfless service to the State of Indiana. In 1967, he was chosen "Mr. IVFA" and was presented with the President's award for his

first 4 years as chaplain. In 1980, Gov. Otis Brown gave further credence to his accomplishments by granting him the "Meritorious Service Award." But even this award did not completely match his achievements, and in 1993 he was bestowed the "Sagamore of the Wabash Award" by Gov. Evan Bayh—the State of Indiana's highest and most distinguished honor.

Even in light of Mr. Lantz' noteworthy achievements, he must be genuinely respected for his quiet and competent service as a firefighter back in Scipio Township. Throughout his great work across the State, he always remained an active firefighter within the department he first joined in 1955. A rare combination of statewide inspiration and hometown dedication truly make Duane Lantz an inspiration to all Hoosiers.

After 30 years, Mr. Lantz has stepped down from his post as State chaplain and will devote his time to the origins of his public service—being a volunteer fireman in Scipio Township, IN. I believe it is important that we take time to recognize those who truly make our Nation great, and Duane Lantz is a glowing example of how an individual can do much to keep alive the great American ideal of volunteerism. His service to his community, the State of Indiana, and our Nation demands our utmost respect and appreciation. His works will not soon be forgotten.

ADDITION TO MARYLAND REHABILITATION CENTER—GROUNDBREAKING SCHEDULED FOR THURSDAY, SEPTEMBER 23, 1993

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mrs. BENTLEY. Mr. Speaker, my fellow colleagues, I rise today to recognize the groundbreaking of the addition to the Maryland Rehabilitation Center on Thursday, September 23, 1993.

That day, I will have the honor of attending the Maryland Rehabilitation Center's ceremonial groundbreaking. Located in Baltimore, the MRC permits the Maryland Division of Rehabilitation Services to develop new programs and services to address the needs not met for persons with severe disabilities. The construction period will be October 1993 to November 1994 and the new programs will be underway by January, 1995.

With the able leadership of Dr. Nancy Grasmick, Maryland State superintendent of schools and James Jeffers, assistant State superintendent of schools, the Maryland Division of Rehabilitation Services has been fundamental in applying adaptive and assistive technologies to the needs of persons served by the agency. The division's technology resource office is among the best in the world, and is considered an international model in the provision of computer-based technologies to the needs of individuals with diverse disabilities.

One of many shining examples of the Maryland Rehabilitation Center's work include a 34-year-old man who benefited from services provided by the division of rehabilitation services' technology resource office. Having been employed as an overhead power line mechanic, he sustained severe burns to both upper extremities which led to bilateral shoulder disarticulation. He wished to return to his former employer, and vocational rehabilitation plans were directed toward jobs that did not require use of the upper extremities. Capitalizing on his knowledge of the power company and in an effort to provide him with a means to communicate, he utilized a system that permits full control of a computer by one's chin. He was trained on this system and is now employed full time as a CAD operator, continuing to use the adaptive chin-based control system.

Through this expansion project, the center will become capable of providing rehabilitation services over a much broader scope to an increased number of individuals with severe disabilities. The agency will be able to fill gaps in the services to patients and the ability to provide the necessary technology assistance.

The Rehabilitation Technology Services will have four centers, including: adaptive microcomputer services, rehabilitation technology information, design and fabrication, and research and demonstration. These four centers will work in unison to expand the nature and scope of rehabilitation technology services, enabling the division to extend services to populations of individuals who are presently underserved due to the severity of the disabilities and the lack of sufficient resources.

The addition to the Maryland Rehabilitation Center holds the promise of increasing the number of individuals who eventually will benefit from this technology. Individuals serviced by this program are given the opportunity to live a better life and interact in a normal environment. The rehabilitation services will include programs that include the ability to modify and change environmental circumstances that create barriers to employment; customize devices to fit the capabilities of the individuals; and enable each person with a disability to explore alternative methods for interacting with their environment.

Mr. Speaker, my fellow colleagues, with its distinguished history of service to the Greater Baltimore community, I expect more great things from the Maryland Rehabilitation Center upon completion of this new addition.

THE GLOBAL STAKES OF FREE TRADE

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. OXLEY. Mr. Speaker, in view of the ever-increasing rhetoric from several anti-NAFTA sources, I submit for the RECORD a well-written and incisive column by Karen Elliott House which debunks the protectionists and doomsayers who have been consistently wrong in the past.

[From the Wall Street Journal, Sept. 14, 1993]

THE GLOBAL STAKES OF FREE TRADE

(By Karen Elliott House)

HONG KONG.—No island is an island.

This island trading center, like the rest of the booming Asian region, is a long way from the Rio Grande. But shock waves from the all-too-likely implosion of the North American Free Trade Agreement will be quickly felt all across the Pacific, with damaging economic consequences not only for Asia but for its largest trading partner, the U.S.

As Washington debates the importance of NAFTA in terms of its impact on blue-collar jobs, environmental regulation and domestic politics, the far larger ramifications of the treaty's impending demise to the entire global trading system are being overlooked both in the U.S. and among its Asian trading partners.

The danger: If an alliance of American protectionists can defeat a free-trade treaty with a next-door neighbor with whom America enjoys a healthy trade surplus, the logic is almost inexorable that the next targets of emboldened protectionists will be the distant Asian nations with whom America has the largest trade deficits—Japan and China. Japan's recession and China's recent decision to slow economic growth to damp inflation mean neither country is likely to import more from America soon. And if trade wars ensue among the globe's three largest economies—the U.S., Japan and China—fallout will poison economies on every continent.

OBLIVIOUS VICTIMS

In short, if an American homeowner is willing to casually bludgeon the next-door neighbor, with whom he shares a common front yard, what self-restraint will prevent his mugging less familiar residents down the road?

Ironically, these potential Asian victims, caught up in the hubris of their own economic miracles, seem remarkably oblivious to the mugging that may lie ahead. In their myopic view, NAFTA has long been seen as giving an advantage to Mexico at their expense in the critically important U.S. market. So the initial Asian reaction to NAFTA's troubles is relief. But this jealousy of Mexico has merely served to blind them to largest dangers. If Mexico is jilted, Asia is much more likely to be abused than embraced by Potomac protectionists.

For all of the growth in intra-Asian trade in recent years, the U.S. remains Asia's single largest market, accounting on average for 30% of the exports of Asian countries. By the same token, Asia as a region far surpasses both Europe and Latin America as a destination for American exports. Without relative openness in this two-way trade there is no global trading system.

Moreover, if the collapse of NAFTA will have damaging political ramifications in Mexico, these are small dangers compared with the political tensions that could well ensue from Japan to China to Southeast Asia from a contraction in world trade and thus economic growth. What goes under the guise of domestic protectionism in Washington would be seen across Asia as American economic imperialism. Resentment of the U.S. already is growing from China to Malaysia over American moralizing on such issues as clean air and human rights. To the extent these tensions already exist in what remains an expanding world trading system, how much more divisive will they become in a context of trade contraction?

All this will play out in Congress over the next few months, where NAFTA must compete for attention with the president's health care plan and the vice president's proposals to streamline government. While Mr. Clinton says he supports NAFTA, he continues to postpone a major speech on its behalf

or demonstrate his determination to fight and win. Indeed, some of his advisers urge him to husband scarce political capital for health care, not NAFTA.

Mexico and Asia, of course, wouldn't be the only losers if NAFTA does fail. Mr. Clinton, American business and, of course, American consumers all would lose too. Mr. Clinton's already limited international credibility and influence would be further eroded at the very moment they are needed to force a finish to long-deadlocked talks on a new global trading agreement by December, the congressional deadline for submission of a treaty. Without NAFTA or a new General Agreement on Tariffs and Trade, prospects of a global trade war are truly menacing.

If most Asians don't yet see this larger threat, it's even more ironic that Mr. Clinton and his economic policy makers seem oblivious too. The additional irony here is that an administration that is overly eager to embrace interdependence and multilateralism for political and military purposes seems unable to grasp the far greater degree of genuine interdependence in the global economy. It's truly bizarre that the U.S. is willing to send troops to Somalia and to threaten to send them to Bosnia in the name of international cooperation while seeming to believe that a free-trade failure can be confined to one corner of the world.

Even the simplest calculations of self-interest ought to make Congress and the White House see the global stakes. In recent years, nearly 50% of U.S. economic growth has resulted from increases in America's exports. So, if other economies don't grow and absorb U.S. exports, America grows more slowly. Yet all too many Americans have bought the protectionist rhetoric of Ross Perot that free trade means forfeiting American jobs and the larger, underlying fallacy that the global economy is a finite pie where growth in one country must come at the expense of another.

How deeply this fallacy has taken root not just in Washington but across America is indicated by an anecdotal survey cited by Robert Hormats, vice chairman of Goldman Sachs International, who speaks often to American audiences. These Americans, asked whether they would prefer to see a) the U.S. economy grow at 5% a year and Japan at 10% or b) each nation grow at 2%, repeatedly opted to see the U.S. paired with Japan at low growth rather than to enjoy stronger economic growth in the U.S. even if Japan grew faster. What this adds up to is national competitiveness being subverted and perverted by mercantilist myopia.

This beggar-thy-neighbor attitude springs from a larger pool of pessimism—a downbeat dogma that, over the past decade, has been sold to Americans like snake oil by politicians, economists and sundry academic evangelists. From oil crisis to debt crisis, from budget gaps to trade gaps, from "America is overextended" to "America can't compete," it's been a ceaseless sermon of gloom-and-doom, decline-and-fall. Meantime, during the 1980s America grew nearly 20 million new jobs, American productivity gains outpaced those of all major competitors, U.S. industry reasserted its global competitiveness, such economic rivals as Japan and Germany faltered, and political enemies disappeared in the debris of the Cold War. The potion of pessimism truly was snake oil.

SELF-FULFILLING PROPHECY

The paradox is that this dogma of pessimism the intellectual elite has peddled for so long may turn out to be a self-fulfilling prophecy. The fact that all these other so-called crises didn't damage America's competitiveness or damp world growth doesn't mean that protectionism can't or won't.

America, a nation that demonstrably thrives on rapid change, has been led to fear precisely those circumstances of change, including free trade, that play to its advantage. Similarly, a new Clinton administration that campaigned on the theme of change is feeding national economic insecurities. In the words of Labor Secretary Robert Reich, NAFTA has become a "symbol of change" and this is exactly what so jeopardizes its ratification. It will be the final irony if a painfully restructured American economy and newly resurgent American industry now lose the opportunity to compete in open global markets due to a rising tide of protectionism born of exaggerated and unwarranted pessimism.

A TRIBUTE TO THE KAISER PERMANENTE MEDICAL CENTER

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention the fine work and outstanding public service of the Kaiser Permanente Medical Care Center in Fontana, CA. This year marks the 50th anniversary of the center and serves as a precursor to the 50th anniversary celebration of the nationally known Kaiser Permanente Medical Care Program to be recognized in 1995.

In the 1940's, southern California, like the rest of America, was mobilized for war. Industrialist Henry J. Kaiser opened a steel mill in the farm country of San Bernardino County, 40 miles away from the coast and the potential for bombing. Among his most pressing needs was to provide health care for the 3,000 workers at his steel mill in Fontana.

Kaiser contracted with Dr. Sidney Garfield to provide health care on a prepaid basis to the steel workers and their families. In the 1930's, Dr. Garfield had created similar successful programs for the workers of the Colorado River aqueduct in the desert east of Los Angeles and at the construction site of the Grand Coulee Dam in Washington State. Dr. Garfield's program, based on prepayment and group practice, was a tremendous success.

In 1945, Dr. Garfield and his physician associates opened their health plan to the nonunion residents of Fontana and the surrounding area. The health plans begun in northern California and in Washington also began enrolling members of the general public.

What began as a small hospital in the desert has grown into our country's largest health maintenance organization providing comprehensive medical and hospital services to 2.3 million people in southern California through the work of some 37,000 employees and physicians. The Fontana site began as a small 85-bed hospital and has grown into one that houses 459 beds and serves more than 300,000 people in San Bernardino County and eastern Los Angeles County.

Mr. Speaker, I ask that you join me and our colleagues in paying tribute to 50 year's of health care excellence provided by Kaiser Permanente. Henry Kaiser's bold experiment 50 years ago has evolved into one of the finest examples of health maintenance in the United States. It is indeed fitting that the House recognize Fontana's own Kaiser Permanente today.

MEMPHIS UNIVERSITY SCHOOL SALUTED

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. SUNDQUIST. Mr. Speaker, it is with pride and pleasure that I share with my colleagues the success story that is Memphis University School. For 100 years, MUS has helped train young men who became leaders in business, politics and the civic life of Memphis and the mid-South. As the school prepares to celebrate its centennial, I wanted to share the story of this school with my colleagues.

Memphis University School was founded in the fall of 1893 by two young, Virginia educated teachers, E.S. Werts and J.W.S. Rhea.

These two teachers began with seven students, and by 1899 they had built their own building on Manassas just south of Madison and soon had an eighth grade school of about 150 students.

Rhea and Werts died in 1917 and 1923, respectively, but their school continued under the leadership of Howard G. Ford and Charles C. Wright for more than a decade.

During America's Great Depression, MUS was compelled to cease operations.

On February 16, 1953 plans began to revive MUS. Dr. A.W. Dick, pastor of Second Presbyterian Church, Mr. Robert Hussey, and Col. Ross M. Lynn, Headmaster of Presbyterian Day School were instrumental in these plans. Twenty-one distinguished and farseeing professional men, with Mr. Alexander Wellford as chairman, comprised the first Board of Trustees.

Borrowing liberally from the traditions of its namesake and with the blessings of its alumni the new school opened at 6191 Park Avenue in 1955.

Beginning with six teachers and 93 students, Col. Ross M. Lynn and Eugene Thorn led in the building of a preparatory school that has grown to 600 students and 56 faculty.

MUS operates on the Honor System and the strongest of academic and athletic traditions.

The young men graduating from this fine institution attend the nation's most prestigious and competitive colleges and have become business, professional and civil leaders.

I know that my colleagues in the House join me in congratulating the faculty, staff and alumni of Memphis University School, wishing them a joyous centennial celebration and another rewarding century of service.

EAGLE SCOUT HONORED

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to bring to the attention of my

colleagues, an outstanding young individual from Illinois who has completed a major goal in his Scouting career. On Sunday, September 26 in Chicago, IL, Christopher Turek will be honored at an Eagle Scout Court of Honor.

It is important to note that less than 2 percent of all young men in America attain the rank of Eagle Scout. This high honor can only be earned by those Scouts demonstrating extraordinary leadership abilities. This young man has clearly earned his rank and deserves special recognition.

In light of the commendable leadership and courageous activities performed by this fine young man, I ask you, my fellow colleagues, to join me in honoring Christopher Turek for attaining the highest honor in Scouting—the Rank of Eagle. Let us wish him the very best in all of his endeavors.

SVOBODA CENTENNIAL

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. HOYER. Mr. Speaker, this month marks the centennial of Svoboda, the official newspaper of the Ukrainian National Association. For 100 years, Svoboda has been a beacon for the Ukrainian-American community.

This oldest and largest Ukrainian newspaper in the United States has provided an important vehicle for generations of Ukrainian-Americans in keeping up on developments in Ukraine. In so doing, it has helped the Ukrainian-American community maintain its strong attachment to Ukraine. It provided an impetus for Ukrainian-Americans in their efforts to help Ukraine in its struggle for freedom and independence. Importantly, Svoboda served as a conduit for news about Ukraine such as the Stalinist famine of the 1930's—news that was not widely reported in the United States.

At the same time, Svoboda provided numerous Ukrainian immigrants, in their native language, with information about the United States and American values. In effect, Svoboda has served to strengthen Ukrainian-Americans ties with both the old country and their new country.

Svoboda also has provided links among Ukrainian-American communities, located primarily in the Eastern part of the United States, but now increasingly scattered throughout the American continent. This newspaper has been a critical link in maintaining the Ukrainian-American community's structure and cohesiveness. In addition, having existed for 100 years and thoroughly documented Ukrainian life in America, Svoboda is an invaluable research tool for anyone studying the history of Ukrainian-Americans.

Svoboda continues to be an important forum today, providing timely news and analysis from and on Ukraine. As Cochairman of the Helsinki Commission who has traveled to Ukraine and met with its leaders, I know that this information continues to be valuable to the Commission as it monitors and reports on developments in Ukraine.

Mr. Speaker. I congratulate the Ukrainian National Association and Svoboda on Svoboda's centennial and wish it mnohaya lita, which in Ukrainian means many years.

LEGISLATION TO PRESERVE STERLING FOREST

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mrs. ROUKEMA. Mr. Speaker, I rise today to introduce legislation which will establish a Federal matching grant program for acquisition of Sterling Forest. At approximately 20,000 acres, Sterling Forest is the largest tract of privately owned, undeveloped forest land in the New York metropolitan area. Preservation of this property situated along the New York-New Jersey border is critical for protection of northern New Jersey's watershed, which provides drinking water for over 80 New Jersey municipalities. Unfortunately, this precious natural resource is under imminent threat of development and little time is left to save it.

The Department of the Interior and related agencies appropriations for fiscal year 1993 provided $3 million, through the Forest Legacy Program, to be used in combination with matching funds provided by the States of New York and New Jersey for acquisition of critical lands in Sterling Forest. However, the States of New York and New Jersey have not secured the necessary matching funds, leaving the Federal contribution untouched. Consequently, efforts to negotiate a suitable purchase agreement with the Sterling Forest Corporation have stalled.

The legislation I am presenting today attempts to break this funding impasse by offering Federal matching funds, up to $25 million, for each non-Federal dollar raised by the bistate Palisades Interstate Park Commission [PIPC]. While any forthcoming State funds, such as those proposed by New Jersey Senator Robert E. Littell, would qualify for Federal matching under this legislation, the purpose of my bill is to provide a Federal incentive for increased private fundraising efforts.

Use of federally matched private donations to purchase Sterling Forest is not only fiscally responsible, but it will expedite preservation of Sterling Forest by eliminating obstacles and delays on the State level. Moreover, it provides an opportunity for the many conservation-minded individuals and organizations to spend their money directly on open space preservation, instead of on lobbying legislators.

In addition to establishing a $25 million Federal matching grant program, this legislation stipulates that such funds may only be used on a willing-seller basis. It also calls for PIPC management and operation of Sterling Forest—including PIPC responsibility for payment of applicable property taxes, in accordance with New York law. Finally, my bill requires the Federal Government to retain an easement, or equivalent title, to Sterling Forest as a safeguard in the unlikely event that the PIPC were to be disbanded. This last provision ensures that Sterling Forest will always remain in pristine condition, and that northern New Jersey's watershed will never be compromised by development in Sterling Forest.

This legislation is also the first Federal legislation which specifically allows Federal funds to be used by Passaic County, NJ, in order to fulfill their court-approved settlement with the Sterling Forest Corporation. Passaic County's proactive effort to preserve the 2,070 acres of Sterling Forest within the State of New Jersey has unfortunately left the county short of necessary funds. Under terms of my legislation, Passaic County will be eligible to receive matching Federal dollars in the same manner as the PIPC in New York State, only the county will retain responsibility for the tract's management and the Federal Government will not hold any interest in the property.

Under this legislation, taxpayers will benefit, Sterling Forest will be preserved, and the Federal Government will not be responsible for managing Sterling Forest or for payments in lieu of taxes. Most of all, this legislation complements other efforts to secure funding for land acquisition in Sterling Forest.

I believe this progressive legislation is essential to bringing the preservation of Sterling Forest to a timely and cost effective conclusion. It is my sincere wish that Members will join my efforts to save Sterling Forest from destruction and that this legislation be given prompt and favorable consideration.

TRIBUTE TO MARIE A. SMITH

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Ms. MOLINARI. Mr. Speaker, on September 23, 1993, friends and colleagues of Ms. Marie Antoinette Smith will gather on Staten Island, NY to pay tribute to her notable career in health care. She will retire from the nursing profession after 41 years of service. It is truly a pleasure for me to have this opportunity to honor Ms. Smith for her commitment to healing and care of the sick and injured.

Her career began in 1952 with her graduation from the Bellevue School of Nursing in New York City. She immediately began employment with St. Vincent's Medical Center as a nurse in the blood bank. Over the next few years she worked at Richmond Memorial Hospital as a head nurse in the Medical/Surgical Unit. During this time, she also started a family. In 1966, she moved to the Seaview Hospital and Home and performed her nursing duties in the Geriatric ward.

Her career entered a new level after she was promoted to assistant director of nursing in 1978. A member of the Quality Assurance Committee, one of her main concerns was the quality of health care services. She concentrated all of her energies in the administration of the facility and in 1985, she was promoted to associate director of nursing.

Arguably, her most impressive professional accomplishment was the establishment of the only head injury unit on Staten Island. The unit's operations commenced in 1991 in the Robitzik Building.

In addition to her professional accomplishments, she is also an active member in both the American Organization of Nursing Executives and the American Nurses Association.

Today, she has four grown children who all work in the health care field. They have undoubtedly benefited from her experience and guidance.

Mr. Speaker, quite often health care professionals do not receive enough gratitude for the sacrifices they make. Caring for the sick is frequently a tireless and thankless job. For this reason, I am happy to have the occasion to give thanks to one such professional. I congratulate Marie Antoinette Smith on her selfless years of service and thank her for her dedication to bettering health care on Staten Island.

SVOBODA'S FIRST CENTURY

HON. CHARLES WILSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. WILSON. Mr. Speaker, the following quote was made by Arthur Ochs Sulzberger:

More than print and ink, a newspaper is a collection of fierce individualists who somehow manage to perform the astounding daily miracle of merging their own personalities under the discipline of the deadline and retain the flavor of their own minds in print.

I am pleased to offer praise to all of the fierce individuals who have been part of Svoboda's first 100 years of service to the cause of Ukrainian freedom.

The courage of those who choose to use the pen against the sword stand as a reminder to all of us blessed to live in this democracy—a free nation grown from the seeds of the written word and founded on the principles of freedom of speech.

Their courage is, as well, an inspiration to those men and women striving to achieve the same goals of freedom and self-determination around the globe.

Your role in helping to bring about the dramatic changes taking place in Eastern Europe is clear, and its value immeasurable. I am honored to add my congratulations to the many on the occasion of your 100th anniversary. It is our hope that Svoboda will continue in its invaluable mission for the good of Ukraine and its people for 1,000 years more.

B'NAI B'RITH MARKS 150 YEARS OF SERVICE

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. SUNDQUIST. Mr. Speaker, like many of my colleagues, I have noted with pride and admiration the work of B'nai B'rith International, not only in my State and community, but truly around the world. I know that my colleagues will join me in saluting this oldest and largest of America's service organizations on the occasion of its 150th anniversary.

B'nai B'rith was founded on October 13, 1843. It is the first international service organization to be founded in the United States. Today, B'nai B'rith is active in 50 countries on six continents throughout the free world. Here in America, it boasts a membership of over 500,000.

B'nai B'rith has broadened its reach and expanded its services as it has grown. At its birth, B'nai B'rith offered the first free employment bureau in America, opened manual and technical schools, ran orphanages and homes for the aged. Today, B'nai B'rith provides one of the world's largest networks of nonsectarian, affordable-rent apartment projects for the elderly, and sponsors internationally recognized educational, cultural, and religious programs for young people. The B'nai B'rith Student Aid Fund assists needy school children.

Around the world, B'nai B'rith has been a leader in the battle against prejudice and has taken a principled stand in defense of basic human rights.

I know that B'nai B'rith has made a powerful difference for good in my community, and I am confident that each of my colleagues would be quick to say the same.

I am proud to salute B'nai B'rith on its first century and a half and proud to salute those whose support has enabled it to do so much for so many for so long. For 150 years, B'nai B'rith has united persons of the Jewish faith in the work of promoting their highest interest and those of humanity. May it always be so.

PANEL DISCUSSION ON ISLAMIC FUNDAMENTALISM

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mrs. BENTLEY. Mr. Speaker, on June 29, a panel discussion was held at the International Club in Washington, the discussion of which revolved around Islamic fundamentalism. I would like to take this opportunity to have reprinted in the RECORD, the remarks of conference participant Dr. Joshua Muravchik, a resident scholar at the American Enterprise Institute, and an expert in the fields of foreign affairs and defense policy. His latest book, Exporting Democracy: Fulfiling America's Destiny, was published in 1991. I urge my colleagues to review this insightful piece.

AN ALTERNATIVE TO ISLAMIC FUNDAMENTALISM?

(By Dr. Joshua Muravchik)

I am for the most part going to talk about why I am here. I am not an expert, by any means, either in terrorism or in Iran and the region. My main field of interest is in democracy and human rights, with a broader interest in U.S. foreign policy and strategy, and I confess I never would have expected to find myself in this kind of forum.

One day, about a decade ago, I encountered a young Iranian man on the Georgetown University Campus who was giving out leaflets protesting torture by the Khomeini regime. The leaflets had some disturbing photographs on them, and the young man said to me, "The regime tortured my brother." The leaflet identified itself and the man distributing it as being from the Mojahedin. I said to him, "That's very terrible, but I did not see you out here a few years ago protesting when your movement was part of the new regime and the people who were being tortured were from the old regime." He replied something to the effect that those victims were bad guys, and I left disheartened.

In the last year, however, I have had a series of interesting conversations with representatives of the Mojahedin Organization, at their initiative. They came to me wanting to talk about democracy in their country. I welcomed this, not just because of my interest in democracy, but also because it may offer an answer to a terrible problem, the rise of Islamic "fundamentalism," that is fanatical, politicized and violent. In recent days, the problem of terrorism by this movement has been brought home to us with new drama and urgency.

It is also of special concern from the point of view of those who delight in the recent progress of democracy around the globe. With the collapse of the last of the great and terrible 20th century totalitarian ideological alternatives to democracy, the one remaining fierce opponent of democracy in the world is the force of this Islamic fanaticism. It is a very major impediment to the further spread of democracy in the world, and to the consolidation of democracy in those parts of the world where it is young and fragile.

One of the lessons that we have learned from the quite astonishing collapse of communism is that, if possible, the best way to fight such an enemy is right at the center. Throughout the forty years of containment, we fought a most difficult struggle, often losing individual battles in our effort to fight the communist imperium at its fringes, where the communists could choose the battleground and where we were always on the defensive, such as in Vietnam, Central America and elsewhere. Then suddenly, when communism collapsed at its heart, its various tentacles died with it. Its defeat was not military—although certainly military containment was important—but political. The idea and spirit of democracy and freedom took hold in the center of the Soviet empire.

Hence, by analogy, when these people from the Mojahedin Organization came to talk to me about democracy, the idea that it might be possible to stimulate the development of a democratic movement in Iran to challenge fanaticism right at its center intrigued me. For today, Tehran is to Islamic fanaticism what Moscow was to world communism.

So I talked to these people, and I asked them questions about what they meant by democracy, because we know that democracy is one of the most abused words of our century. We recall easily how many sordid dictatorships called themselves "people's democracies." When I questioned the Mojahedin representatives, they gave the right answers. That in itself does not prove their sincerity, but it was an interesting first test. Although communists often used the word democracy, you only needed to talk to them for a minute or two and ask them what they meant by democracy and pretty soon you heard about the people's vanguard and the rest of their litany. It was quite evident in a moment that when they used the word "democracy," the pretence did not go very far beyond the word itself.

Whereas when I asked my interlocutors of the Mojahedin Organization what they meant by democracy, I got better answers, answers which had some compelling quality to them. Just to give you one example, I asked them if their goal is to take power in Iran. This is kind of a trick question, because it is easy to say yes. But they said no, our goal is to have an interim government which will hold elections for a legislative assembly to draft a constitution to create a

new democratic political system. So I said to myself, right answer, and I continued the dialogue.

I also made inquiries among people I trust who know something about Iranian history. I heard a lot of bad things about the People's Mojahedin Organization, about their role in the Iranian revolution and their former partnership with Khomeini and his forces, and so I proceeded cautiously. I am still proceeding cautiously.

I would like to consider some of the questions being raised about the Mojahedin, and possible answers to these questions. One warning about this group is that they don't really mean what they say, and are not being straightforward about what they believe. I have no way of knowing if this is so, but I was heartened by the fact that they do not just have a slogan democracy; they give a lot of the right answers. The focus of our discussion today is the release of a new book by Mr. Mohaddessin. His book also gives a lot of the right answers, and talks about democracy in the terms that democrats talk about democracy.

The second objection that was shared with me was that the Mojahedin Organization has done very terrible things in the past, both in its role in the revolution and attacks on Americans and so on. There are two points I would make in that regard. One is it that they say their organization split into different factions and has gone through various permutations. They renounce or deny responsibility for some of the more terrible things that were done. I am not familiar with the historical truth of their explanation. It is, however, important to note that people and political movements change. Today, for example, we see that one of the most important foreign leaders in terms of prospects for democracy in the world and in terms of American strategic interest is Mr. Yeltsin, who for most of his political career was a loyal Soviet communist official. Therefore, I believe that the past record of this organization is not per se disqualifying, given the question of whether they have changed or evolved in their thinking.

It is also pointed out that the Mojahedin have a very close alliance with the government of Iraq, which is a particularly abominable government and an enemy of the United States. It seems to me that this is a very serious question. Their answer to it is that they need a base from which to fight their revolution, and the only place contiguous to Iran where they can have a military base is in Iraq. Again I am not really in a position to judge, but it seems to me this is at least a plausible explanation. We have ourselves on occasion joined with tyrants in time of war, as we did with Stalin in the Second World War.

I am, therefore, concerned about all of the things said about the Mojahedin, but I think none of them is automatically disqualifying. Despite the objections about them, there are two reasons why I am nonetheless interested in deepening a dialogue with them. One is that even if they are not the good guys that they say and I hope they are, we still might have a hard-headed strategic reason to support them. The government of Iran is a very special threat and an enemy whose potential for damage spreads very far and wide. If we look back to the late eighties, we succeeded in undermining communism through the Reagan doctrine by supporting insurgencies against communist governments. Now many of these insurgents, such as Mr. Savimbi of Angola and the Mujaheddin of Afghanistan, have rather bitterly disappointed us from a democratic perspective. Nevertheless, from a hard-headed strategic point of view, if we had to do it all over again, I would certainly think we should. We contributed to bringing down the Soviet state, a very real menace to ourselves and the human freedom.

There is also a less hard-headed reason for taking an interest in what the Mojahedin have to say. Let's suppose that the fears of their critics are well-founded, and they do not mean what they say about democracy. The fact that they are talking about democracy, and not sloganeering, is still very important. They are talking about the values of religious tolerance, free speech, and contested elections. They are talking about the values of tolerance as opposed to cruelty, which seems to me to be the fundamental issue. They are spreading this message among the Iranian people and in their part of the world. This is a very valuable message to have spread, whether the people who are spreading it are sincere or not. We have often seen that people start spreading a message and eventually they convince themselves. From this perspective, even the objection that they are insincere is not a decisive objection, because the Majahedin say the right things about democracy, and I am eager to see people in this part of the world talking about democracy.

For these reasons, I intend to continue this dialogue that I have begun with the people from the Mojahendin Organization, and encourage others to do so. In the course of dialogue, there are important questions that I want to keep putting to them. I want to ask them about the internal structure of their organization. Is it a democratic organization and are their leaders chosen democratically, because there is a very close connection between what a political organization does internally and what it is really fighting for externally.

I want to ask them questions about their attitude to their past. Did they do things that they wish they hadn't? I want to know how openly they will confront things they may have done in the past that contradict what they espouse today.

And thirdly I want to talk to them about what they say to the world at large about political events in their part of the world. I especially want to talk about what are saying about democracy to their own people in their radio broadcasts. What message are they bringing to the Iranian people, and is it the same as the message they bring to us? I think that Mr. Mohaddessin's book, the topic of our discussion this morning, is a very interesting contribution to that dialogue.

LET'S PUT AMERICANS FIRST

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. GALLEGLY. Mr. Speaker, I rise today to inform my colleagues that the Non-Commissioned Officers Association of America—an organization chartered by the U.S. Congress—is a strong supporter of my bill to stop our ludicrous policy of admitting former Iraqi soldiers as refugees.

Some 1,000 former Iraqi prisoners of war, along with their families, have already been resettled in the United States, and another 3,000 of these soldiers are in the pipeline.

Mr. Speaker, at a time when many Americans, including many veterans, are facing an uncertain future because of the limping national economy, these Iraqi soldiers—who took up arms against American men and women serving in Operation Desert Storm—are eligible for a full range of Federal benefits. If they are all resettled here, it could cost the taxpayers an incredible $70 million.

The bottom line is that we have no business putting enemy soldiers ahead of 9 million unemployed Americans. My bill, H.R. 3021, states that anyone who served in the Iraqi armed forces between August 2, 1990, and February 27, 1991, cannot be admitted to the United States as refugees.

Mr. Charles R. Jackson, the president of the NCOA, has written an outstanding editorial in the October issue of the NCOA Journal that deserves to be read by every Member of Congress. I ask that it be placed in the RECORD, and I urge my colleagues to carefully consider what it says.

For once, let's put Americans first.

THERE IS A TEAR IN HER EYE

(By Charles R. Jackson)

The lady of New York Harbor would no doubt hang her head in sorrow if she knew what President Bill Clinton was planning now. For more than one hundred years she has stood as the welcoming ambassador to millions of refugees from all parts of the world seeking to escape tyranny in the freedom of the United States.

She has welcomed all who sought to live freely under the banner of the stars and stripes and who believed in the promise of a better life in a truly democratic society.

These immigrants loved the promise that America offered. However, today if the President has his way, she will stand helplessly by to watch an influx of Iraqi soldiers who only two years ago had only one wish for America, and that was to see her destroyed.

The President has proposed giving refugee status to thousands of former Iraqi soldiers rendered homeless as a result of their defeat in the Gulf War. These are the same Iraqi soldiers whose goal during that war was to kill American soldiers, sailors, airmen, marines and coast guardsmen and plunder their neighbors in the Persian Gulf region.

As refugees in the United States they would be eligible for federal resettlement assistance and permanent resident status, paid for by the same Americans they attempted to slaughter. And, would be protected by the same military might they sought to annihilate.

Our history as a nation is one of forgiveness of our former enemies. But it is not a history of giving aid and comfort to those who continue to seek our downfall. There are too many American veterans still suffering the wounds of that war and too many widows and children in need of assistance in rebuilding their lives because of the loss of a loved one in that war. To even consider granting refugee status and all the benefits associated with that status to soldiers of a nation that is still seeking our demise is absolutely bizarre.

The lady in New York Harbor can't bow her head. But, if you look closely you might see a tear in her eye.

GET HANDGUNS OUT OF THE HANDS OF YOUNGSTERS

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. CASTLE. Mr. Speaker, on our streets and in our schools, children and teenagers are carrying handguns to impress their friends, protect their turf, and commit crimes—and they are using them to kill and seriously injure children caught in the crossfire, teenagers, and adults.

One 11-year-old boy recently brought his parents' gun to school because he wanted to impress his friends who had brought a real-looking, large water pistol to class.

Juveniles and gang members in a majority of States can openly carry guns on the streets because there are no laws prohibiting the open carrying and possession of guns by minors.

FBI statistics reveal the violent crime rate for juveniles ages 10 to 17 increased 27 percent between 1980 and 1990. The number of murders committed with guns by youths in this age bracket soared 79 percent over the same period.

The problem is a gaping loophole in the 25-year-old Federal Gun Control Act, which only prohibits federally licensed firearms dealers and manufacturers from selling or delivering handguns to minors. Current law does not restrict minors from possessing handguns.

Congress has an opportunity to help get handguns out of the hands of youngsters. Congressman DAN GLICKMAN and I are introducing the Youth Handgun Safety Act of 1993 today. This legislation makes it unlawful for any person to sell, deliver, or transfer to a juvenile a handgun or ammunition suitable for use only in a handgun. It also makes it unlawful for any person under the age of 18 to possess a handgun.

The legislation does not apply to a temporary transfer to, or possession by a juvenile for use in hunting, target practice, or a course of instruction in handgun safety, under the supervision of an adult who is not prohibited from possessing a firearm. Nor does it apply to a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun in the line of duty.

The penalty for anyone who knowingly violates the proposed measure would be a fine up to $1,000 and/or imprisonment for up to 1 year.

Let's close this gaping loophole in Federal gun control laws so we can help reduce the growing number of children and teenagers who are the perpetrators and victims of handgun-related violence.

SHOTS ON GOAL

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. MORAN. Mr. Speaker, I am glad to report that over this past weekend, the International Olympic Committee voted to make women's soccer a medal sport in the 1996 Olympics in Atlanta. Last year, Congress passed a concurrent resolution introduced by Senator DECONCINI in the Senate and me in the House expressing our support for such action.

However, this notable event is due, in large part, to the hard work and dedication of a constituent of mine, Mr. Jim Cromwell. Every once in a while each of us meets a constituent who grabs ahold of an issue and never gives up. Jim Cromwell is such a constituent and women's soccer is his passion. Jim rallied support for women's soccer in the Olympics from the grassroots efforts of petition drives to the resolution we in Congress passed to support this effort. I submit for the record an article from amateur soccer's national publication "Shots on Goal" that expands further on Jim Cromwell's impressive efforts to make women's soccer an Olympic medal sport.

[From Shots On Goal, November 1992]

JIM CROMWELL, SUPER SOCCER DAD

(By Rick Crow and Bob Keller)

Although this year's drive to include women's soccer at the 1996 Olympics in Atlanta has been a true team effort, the hard work and dedication of Jim Cromwell are certainly worth highlighting in this issue of Network. Cromwell, the father of national-team player and University of Virginia (UVA) Assistant Coach Amanda Cromwell worked for 25 years on Capitol Hill as administrative assistant for such notables as Bob Michael and Jack Kemp. Now retired from government service, Cromwell presently works as Research Advocate and Editor of Decade of the Brain, a periodical distributed by the National Alliance for the Mentally Ill, but somehow manages to dedicate countless hours towards helping women soccer players secure their place in the Olympics.

"I believe that there is tremendous interest in the sport, not only in this country, but certainly internationally," said Cromwell. "There are 64 women's national teams playing on six continents and having met all the criteria for Olympic participation, there was no real reason to preclude women's soccer in 1996. That's what stimulated my interest in becoming active."

Cromwell felt that specific actions such as passing a concurrent resolution through Congress would continue the momentum gained after the United States Women's National Soccer Team won the First FIFA World Championship for Women's Football last year in Guangzhou, China.

"Representative Jim Moran is my Congressman and naturally you go to your own Congressman to start with. I was delighted with the reception I received. Congressman Moran and his staff thought the idea was outstanding and he accepted the challenge. Since then, he's earned the right to point with pride to his successful efforts, not only for introducing the concurrent resolution, but making it well-known among his colleagues."

In addition to introducing the resolution in Congress, Moran also suggested that soccer organizers lobby the Senate as well. Cromwell was delighted when Bob Maynes, Press Secretary for Senator Dennis DeConcini and a popular coach and referee on the Northern Virginia soccer scene, was able to present the initiative to DeConcini, another strong advocate for sports equality.

Cromwell is also especially thankful for the support given to the Olympic proposal by the soccer community. Initially Cromwell was able to contact well-known soccer organizers from around the country such as Marilyn Childress, Ruth Callard and Adele Dolansky. Together they formed an ad-hoc committee, which also included National Team Coaches Anson Dorrance and Lauren Gregg.

"This ad-hoc committee was absolutely fantastic," said Cromwell. "They provided me with all the information for making contacts around the country. I also have to say, God Bless the Soccer America Yellow Pages! When they got hung up, Bob Maymas or Jim Moran would call me and say we need help in a certain area and I could call soccer people around the country. It was absolutely incredible! They knew what we were trying to accomplish and they dropped whatever they were doing immediately and helped make the calls."

According to Cromwell, petitions also play a big part in the lobbying process.

"We expected to generate 100,000 signatures on these petitions nationally. These petitions will go to USOC President Walker and Atlanta Olympic Committee President and CEO Payne to convince them that there is a groundswell of support. Although the American committee is not a part of the decisionmaking process, as host nation, they can be very helpful by urging the IOC and FIFA to go ahead with this."

Like many soccer parents, Cromwell began his involvement in the sport by coaching Amanda when she took up the game at age eight. When girls' select teams were formed, Cromwell became manager.

"I can remember when Amanda was a sophomore at UVA. When they played North Carolina State University, there must have been 10 women on the field that played for the Cyclones, her select team. Those years and experiences in youth soccer were valuable for Amanda, not only personally, be as far as developing leadership qualities."

"The introduction of women's soccer in the Olympics is an inspiration that I share with all soccer dads. We're not just here to promote the tournament, but to knock down the doors that have been closed to women in their lives. The soccer door of the Olympics is one of those doors and we're going to open it."

TRIBUTE TO BOTSFORD GENERAL HOSPITAL

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. KNOLLENBERG. Mr. Speaker, I rise today to pay tribute to one of southeastern Michigan's outstanding health care facilities, Botsford General Hospital in Farmington Hills, MI, as they dedicate their new east pavilion.

On October 14, the staff and administration of Botsford Hospital will join in dedicating the new facilities which will include expanded emergency and surgery departments, a clinical laboratory, and a helipad. The east pavilion project is part of a $35 million expansion and renovation of the hospital which will enhance its ability to meet the health care needs of the area.

As Congress begins the debate on health care reform, we need to look at where the health care needs are being met and emulate

that success elsewhere. Botsford General Hospital offers that kind of model with a commitment of offering comprehensive care to a growing community.

I congratulate the doctors, nurses, administration, staff, and volunteers at Botsford on their longstanding dedication to serving their patients and wish them continued success with the opening of the east pavilion.

A SHOCKING CRIME IN THE UNITED STATES GOES UNPUNISHED IN MEXICO

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. BROWN of California. Mr. Speaker, once in awhile, something happens in our own communities that jolts our consciousness and carries with it much broader implications. That is precisely what has been unfolding over the past year in the inland empire—that part of southern California that I call home. It started with an abhorrent crime and the human suffering and continuing injustice mount with every passing day.

In the middle of the night of September 14, 1992, a man broke into a private home in Riverside County, CA. That intruder kidnapped a defenseless 4-year-old girl while her parents were asleep in a different part of the house. He took this little girl to a nearby abandoned trailer where he proceeded to beat, rape, and sodomize her. After this heinous attack, that intruder bound the little girl, wrapped her in a blanket, tied her to a tree, and left her to die.

Miraculously, this little girl freed herself. She was discovered by neighbors, wondering alone in the early morning hours traumatized and dazed.

The prime suspect in this case is a 28-year-old Mexican national, Serapio Zuniga Rios, who was in the United States at the time on a green card. A felony arrest warrant was issued by the Sheriff's Department of Riverside County, but not fast enough to prevent this suspect's flight back across the border into Mexico.

More than 1 year later, this suspect remains at large, even though his whereabouts in Mexico was known for several months until he vanished from his hometown just a few weeks ago.

As if this case is not shocking enough on its own terms, imagine my shock and dismay when I learned it is not out of the ordinary in some very important aspects. Law enforcement officials in my region of southern California have told me that there are dozens of murders and aggravated assaults, just to cite two types of felony crimes, that have gone unpunished because the Mexican suspects have returned to Mexico to avoid extradition and any prosecution in many cases. These cases are going nowhere for lack of cooperation from the Mexican Government and Mexican law enforcement authorities.

Little wonder then that some local district attorneys are reluctant to invest their limited resources pursuing cases and preparing formal requests for the extradition of Mexican suspects who are wanted for serious crimes and who return to Mexico to avoid prosecution.

The Mexican Government has never allowed any Mexican national to be extradited to the United States to stand trial, no matter how serious the crime. Moreover, one reputable law enforcement official estimates that fewer than half of the Mexican nationals suspected of committing serious felonies while in the United States are ever pursued for prosecution under corresponding Mexican national laws.

How can this be.

After all, there exists a United States-Mexico Extradition Treaty. But it effectively works as a one-way street in practice.

Specifically, article 9 of the 1978 United States-Mexico Extradition Treaty authorizes each country to extradite its own nationals, but makes such extradition discretionary rather than mandatory. However, whenever a country refuses to extradite a national when formally requested to do so, that country is obligated to submit the case to its local authorities for domestic prosecution.

But the harsh truth is the Mexican Government always refuses United States requests to extradite and commonly declines to prosecute suspected felons, in flagrant defiance of its treaty obligations and diplomatic assurances.

Regarding the attack on the little girl in Riverside County, it took the United States Justice and State Departments, under repeated prodding by Congressmen CLAY SHAW and me, more than 8 months to even formally request of the Mexican Government that they extradite Serapio Zuniga Rios to stand trial in California. In June, even after the formal extradition request was made and Secretary of State Christopher personally underscored United States concerns about the case with Mexican Foreign Secretary Solana, the extradition request was summarily denied. I am told that the Mexican Government took the position that Mexican law prohibits the extradition of its nationals, even though it does allow it in exceptional cases.

This case and the very serious, systemic problems that it highlights confronting United States law enforcement agencies have raised many questions in my mind and have stirred many ongoing concerns I have about far-reaching unresolved issues between the United States and Mexico, including whether to approve NAFTA and its supplemental accords.

If in the judgment of the Mexican Government, this case from Riverside County is not covered by the exceptional circumstances provision in Mexican law that allows extradition, then what type of crime would prompt them to extradite a Mexican national.

What conclusions can one reasonably draw from this case about the rule of law within Mexico.

If we cannot count on the Mexican Government's full and effective cooperation and good faith in law enforcement and very serious criminal justice matters, then how much confidence can we have in their readiness to uphold other commitments on other bilateral problems of mutual concern.

Based upon the malfeasance of the Mexican Government in criminal cases of this sort, should United States businessmen credibly expect their contracts to be upheld and United States intellectual property rights to be legally and effectively protected in Mexico under the terms of the impending NAFTA or otherwise?

Because of questions like these, I initiated and Congressmen CLAY SHAW and KEN CALVERT cosigned my letter to Mexican President Salinas last July. We respectfully asked that the Mexican Government take immediate action to have Serapio Zuniga Rios arrested and extradited forthwith to stand trial in the United States. Even now 2 months later, the Mexican Government has not seen fit to even acknowledge receipt of our letter, let alone thoughtfully respond to it. I have placed repeated phone calls to the Mexican Embassy in Washington, DC, and have not received any return phone calls as yet. A copy of our unanswered letter to Mexican President Salinas appears at the end of this statement.

I do not understand and I will not accept the callous and careless manner in which the Mexican Government has mishandled this case and many others like it.

CONGRESS OF THE UNITED STATES,
Washington, DC, July 22, 1993.

Hon. CARLOS SALINAS DE GORTARI,
President, Republic of the United Mexican States, Mexico City, Mexico.

DEAR PRESIDENT SALINAS: In many ways, your government has come to represent a new age in the politics and development of our hemisphere. We also believe that your efforts to broaden and improve relations between our two countries hopefully presages a new era of cooperation and mutual respect that will benefit the peoples of both nations, and we commend your leadership.

In that vein, we wish to bring to your attention a matter of the utmost concern to us, in the hope that your government will help us achieve a resolution satisfactory to all concerned.

In the early morning hours of September 14, 1992, a man broke into a family home in Riverside County, California. That intruder kidnapped a 4-year-old girl and then raped and sodomized her at a nearby work site. After that attack, this little girl was completely enwrapped in a blanket, tied to a tree, and left to die. It was a miracle that she survived this brutal assault.

The prime suspect in this crime is a 29-year-old Mexican national, Serapio Zuniga Rios, who was in the U.S. legally at that time on a green card. He is suspected of having fled across the border into Mexico immediately after the crime occurred. We have knowledge of his current whereabouts inside Mexico.

Pursuant to the terms of the U.S.-Mexico Extradition Treaty now in effect, the U.S. Government last month formally requested the extradition of this suspect for whom a felony warrant has been issued in Riverside County, California.

Our purpose in writing is to request in the strongest terms possible that your government take immediate action to have this suspect placed in custody by the appropriate Mexican law enforcement authorities and extradited forthwith to stand trial in the U.S.

We view this situation as an opportunity for our two countries to work together in an area of concern that has, in the past, been fraught with problems for both of our governments. But, as you know, new bilateral discussions on extradition and related matters have begun. Since we recognize problems have arisen under the terms of the existing U.S.-Mexico Extradition Treaty, we strongly urge you to assist us in this pending case, thus setting the stage for resolution of broader extradition policy concerns.

Certainly, both of our governments should be responsive to the needs of the other in important matters such as this. Your help in this extradition case would also be greatly appreciated by the family of the 4-year old victim, the people of California and the rest of the United States, as well as members of Congress and other U.S. government officials.

We thank you for your assistance and look forward to hearing from you.

Sincerely yours,

CLAY SHAW,
Member of Congress.
GEORGE E. BROWN, Jr.,
Member of Congress.
KEN CALVERT,
Member of Congress.

CONGRATULATIONS TO THE BLATTENBERGER FAMILIES OF AMERICA

HON. DAVID MANN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. MANN. Mr. Speaker, I would like to bring to your attention that on Monday, September 20, 1993, the Blattenberger families will be celebrating their 250th anniversary of arriving in America.

In 1743, Johannes Blattenberger, the progenitor of all the Blattenberger families, arrived at the port of Philadelphia and declared his allegiance to the King and England. Johannes was one of the many people who took William Penn's invitation to join him in Pennsylvania where there was religious and political freedom. To pay for the trip to the new world Johannes decided to indenture himself, but soon after that his family and fortune began to grow.

When the time came to fight for their country in the Revolutionary War, all of Johannes' sons were ready and willing to do something good for the land that had given them so much. A Blattenberger has fought and or died in every major war since that time.

Over the years the family has spread from the Lancaster area to 31 States including the District of Columbia. Throughout the spreading of the family a few name changes have come along in the family name. There are several different forms such as Blattenberger, Plattenberger, Blottenberger, Plattenburg, or Blattenberg.

The Blattenberger family is proud to have a variety of professions which can include anything from an actress to a farmer. I would like to give special congratulations to the family members who contributed in the Manhattan project, the first lunar land rover, became a movie actress, became head of the Government Printing Office, and became a Commissioner of the SEC.

I would also like to give special recognition to the family members back in Cincinnati in my district who are Omara Blattenberger, Phyllis Plattenburg Reid, and Natalie Plattenburg Hauk.

Congratulations to the Blattenberger families of America, as they celebrate their 250th anniversary.

THE NORTH BRONX SEVENTH-DAY ADVENTIST CHURCH HONORED

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. ENGEL. Mr. Speaker, I wish to give recognition to a congregation in my district that has been a source of inspiration and assistance to the community. The North Bronx Seventh-Day Adventist Church is marking its 25th anniversary this week with a series of events celebrating this momentous occasion.

The church started with just 11 members in 1967, but has grown to include more than 700 active and vibrant people. The congregation has a special relationship with the local community, offering each other support and encouragement. The motto of the congregation is "The caring church where everybody is somebody," and that inclusive attitude is reflected in all the good works of the church.

I commend Pastor Allan W. Hay and all the people who have contributed to the success of the North Bronx Seventh-Day Adventist Church. We all look forward to the continued growth and success of the church.

TRIBUTE TO THE VALLEY BABE RUTH ALL-STARS TEAM

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. WALSH. Mr. Speaker, I rise today to ask that my colleagues join me in congratulating a group of 13-year-olds from my district on their spirit and competitiveness as they compiled a recordbreaking string of victories on their way to the World Series of the Babe Ruth League.

The boys and one girl were on the Valley Babe Ruth League all-stars team, from a league with a great tradition of winning teams, talented players, and dedicated coaches. The dedication of the coaches, it should be mentioned, is not so much to winning as it is to the players and their well-being, to establishing pride in these young people, and to their physical and mental conditioning.

These coaches in particular, Jay Downs, John Pennisi, and Bob Weismore, are the pride of our neighborhood because they prove their community commitment through coaching not only with this endeavor, but every season.

The players themselves made us in Syracuse very proud. They were 1 of 1,900 teams competing nationwide. After losing their very first all-star game, they went on to win 13 games, the longest winning streak in the country—securing the district title, the State title and the mid-Atlantic title before advancing to the World Series in Springdale, AR, where they finished up with a 2–2 record.

Noteworthy to the success of these local baseball heroes is the participation and pride of their parents. Each parent of each player traveled to Springdale for the 10-day World Series.

While I congratulate these participants, I would also tip my hat to the organizers of the World Series and youth baseball coaches everywhere for their time and effort. There are few things in life more important than helping to build strong bodies and minds in kids whose lives are immeasurably enriched by the respect and attention of the adults around them.

Congratulations to this year's Valley Babe Ruth League all-stars for a job well done. They are Rich Adamczyk, Eric Cohen, Ian Cuthbert, Jon Downs, Mike Erwin, Lauren Fitzpatrick, Steve Haryan, Jeff Machan, Matt Marsallo, Andy Myatt, John Pennisi, Brian Thompson, Ed Van Slyke, Jordan Weismore, and Mike Wojenski.

INTRODUCTION OF RADIO CONSUMER INFORMATION ACT

HON. LARRY LaROCCO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. LAROCCO. Mr. Speaker, I rise today to introduce the Radio Consumer Information Act of 1993. This legislation will modify certain disclosure requirements of three of our banking laws: the Truth in Lending Act, the Truth in Savings Act, and the Consumer Leasing Act. The purpose of this bill is to remedy the unintended consequences these statutes have had for radio advertising of loans, savings accounts, and leases.

Current law requires specific, detailed disclosures whenever certain financial terms are used in an advertisement. for print and television advertising, these disclosures are easily made in the fine print at the bottom of the ad. On the radio, however, it is virtually impossible to make all of the required disclosures. To do so would require a very lengthy advertisement filled with technical details that listeners would be unlikely to retain.

As a result of these requirements, advertisers avoid radio. Local radio stations lose millions of dollars in advertising revenue each year. For the auto leasing market alone, the radio industry estimates losses of up to $300 million a year.

This legislation requires the Federal Reserve to set rules for disclosures by radio advertisers that will give consumers all of the information now required by law, but will do so using toll-free numbers or other means rather than requiring that the information be read over the air. Under my legislation, consumers will continue to receive exactly the same information now required and will be able to make the same informed choices envisioned by lawmakers when the Truth in Lending, Truth in Savings, and Consumer Lease Acts were passed.

I look forward to working with interested Members of the House for passage of this legislation.

CONGRATULATIONS TO THE BLATTENBERGER FAMILIES OF AMERICA

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. SHUSTER. Mr. Speaker, on Monday, September 20, 1993, the Blattenberger families celebrated their 250th anniversary of arriving in America.

On this day in 1743, Johannes Blattenberger—the progenitor of all the Blattenberger families, arrived at the Port of Philadelphia, and made his mark in the record books to declare his allegiance to the King and England. Johannes was one of many who took the invitation that William Penn had extended some years earlier, to come to his Pennsylvania, and find the religious and political freedom they lacked in their native Germany.

There is some evidence to suggest that Johannes then indentured himself to pay for this trip to the New World, but within a few years he appears in the area of Lancaster, PA, his fortune and family both growing.

All of Johannes' grown sons felt the need to give back to the land that gave them so much. When the time to fight for their country came, they all willingly joined in the fight to secure the new Nation, in the Revolutionary War. Since that time, a Blattenberger or descendent has fought and sometimes died, in every major conflict of the United States, the War of 1812, the Civil War, World War I and II, Korea, and Vietnam. Today one of their family descendants serves in Kuwait.

Today the family has spread from the Lancaster area to 31 States and the District of Columbia. In the past two and a half centuries, many changes have happened in the country, and even a few changes in the Blattenberger family name. Today, descendants of Johannes may spell the family name in a variety of forms—Blattenberger, Plattenberger, Blottenberger, Plattenburg, or Blattenberg. But as with such a distinctive name, there is no trouble in tracing their family heritage to Johannes.

The Blattenberger family history, and U.S. history are woven together in many ways. Perhaps the fact that weaving was Johannes' profession may have been prophetic. Over the centuries, the family moved from the activities of farmer, cooper, blacksmithing, and weaving to find a niche in many areas of enterprise and government service.

The Blattenberger family is proud to note the family members who have made special contributions to the country in a variety of ways such as a movie actress in the thirties and forties, as head of the Government Printing Office and as a Commissioner of the SEC. With no less pride we note the family members who worked on the Manhatten Project and the first lunar land rover.

Today members of the family have a variety of professions; doctors and nurses, college professors and school teachers, lawyer, legal assistant, computer consultant, chemical engineer, truck driver, cabinet maker, electrical contracting, minister, farmer—in Iowa, dairy farming, orchard owner, gristmill operator, radio personality, accountant, poultry processing, small business owner, soldier, author, inventor, student, mother, father, and patriot.

Mr. Speaker, I would like to personally congratulate the Blattenberger family on this monumental occasion. One can be proud of the rich history and strong heritage that these families are celebrating. Happy 250th anniversary to the Blattenberger family.

EDWARDS' STATEMENT WELCOMING PARTICIPANTS TO THE NATIONAL CONFERENCE ON CRIMES AGAINST CHILDREN

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. EDWARDS of Texas. Mr. Speaker, today I welcome the participants of the National Conference on Crimes Against Children. Law enforcement personnel from across the country will be in Washington today and tomorrow to exchange techniques and tactics needed to protect our children from a whole host of crimes and abuses.

Included in the list of participants are four police officers from my 11th Congressional District in Texas. From the Killeen Police Department are A.C. Ford, Ricky Smith, Kathy Stringer, and Sgt. Rose Longwell.

Many dangers face our children today—drugs, sexual abuse, child pornography, and a variety of violent crimes. The figures are there to prove just how serious a problem crime against our children has become in this country. An example: According to 1991 Justice Department figures, 1 in 6 youths from the ages of 12 to 15 were victims of a rape, robbery, assault, or other personal crime. These young teens have the third highest rate of crimes committed against them in this country.

Children are our Nation's future. We must take action to stem the violence that they are increasingly exposed to in their schools and on the streets, from the largest city to the smallest town. I applaud the participants of the conference for their work to stop the crime and to stop the violence and abuse that our children face every day.

TRIBUTE TO TAIWAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. BURTON of Indiana. Mr. Speaker, as an economic power and a symbol of democracy, Taiwan deserve's the world's respect and recognition. Since 1949, the Republic of China on Taiwan has moved from an agricultural society, exporting bananas and sugar, to a major trading nation. Moreover, the 21 million people on Taiwan are prosperous and free.

As a sign of growing respect for Taiwan, many international organizations have welcomed Taiwan as a member. Taiwan is now a member of the Asian Development Bank, the Pacific Economic Council, and the Asia Pacific Economic Cooperation forum, as well as the International and Asian Olympic Association. In addition, Taiwan's application to join GATT is headed toward success.

Since the Republic of China withdrew from the United Nations in 1971, times and circumstances have changed dramatically. Taiwan today is vastly different from what it was 22 years ago. A nation such as the Republic of China, which has achieved economic success and political freedom entirely on her own, needs to be commended by all nations. In recognition of these great achievements, I believe that the Republic of China on Taiwan should be awarded membership in the United Nations.

IN RECOGNITION OF LLOYD OLSON

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. COMBEST. Mr. Speaker, I rise today to pay tribute to an outstanding man from my home State of Texas, Mr. Lloyd Olson. Mr. Olson retired as general manager of Cattle Town, Inc. on August 31, 1993, after 20 years of dedicated service.

Mr. Olson, a pioneer in the cattle feeding industry, has been associated with the cattle industry in Hereford, TX, for the past 30 years. As an active member in both the National Cattlemen's Association and the Texas Cattle Feeders Association, he has also served on numerous committees. He has generously given of his time and talents to improve the cattle industry.

His hands on approach and tireless efforts throughout the years have contributed to Cattle Town, Inc.'s great success. Since his arrival in October 1973, Cattle Town, Inc. has doubled in size. Serving in every facet of the operation, Mr. Olson is very knowledgeable and well respected by his peers.

Mr. Speaker, it is an honor for me to recognize such an involved and devoted citizen of west Texas who is so committed to the cattle industry. I am certain Mr. Olson will continue to give of his time and energy to the community. I salute him for his many dedicated years of service to his profession.

HISPANIC HERITAGE MONTH CELEBRATED

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. COLEMAN. Mr. Speaker, this country has often been called a nation of many nations. Our national identity is, in fact, a mosaic of contributions from virtually every nationality and ethnic group in the world. Hispanic-Americans in this country make up a vital part of that mosaic.

During Hispanic Heritage Month, celebrated each year September 15 through October 15, Americans of all backgrounds will have the opportunity to reflect on the contributions of Hispanic-Americans which have immeasurably

enriched the civic, social, cultural, and commercial institutions of our Nation. This tradition of honoring the contributions of Latinos dates back to 1968 when President Lyndon Johnson first established the first celebration. In this spirit, I am honored to join my colleagues in celebration of Hispanic Heritage Month.

There is an endless honor roll of Hispanic-Americans: Inspiring leaders like the late civil rights pioneer Cesar Chavez; dynamic educators like Jaime Escalante and the late Tomas Rivera; fantastic entertainers like Gloria Estefan and Linda Ronstadt; powerful actors like Edward James Olmos and Andy Garcia; internationally acclaimed artists like the late Rudy Montoya and Amado Pena; superb athletes like Bobby Bonilla and Rick Aguilera; legal crusaders like Vilma Martinez and Antonia Hernandez; and political activists like the late Willie Hernandez, Secretary of Housing, Henry Cisneros, and Secretary of Transportation, Federico Pena, are two leaders with outstanding backgrounds who are lending their expertise to the Clinton administration.

But those who lead on the national stage are not alone. They are joined by local community and neighborhood activists in cities across the Nation. In the 16th Congressional District of Texas, our leaders and neighbors include Representative Paul Moreno, dean of the state legislative delegation; County Judge Alicia Chacon, Chair of the Mexican American Legal Defense and Education Fund; Juan Aranda, labor leader; Rosa Guerrero, cultural ambassador; Judge Albert Armendariz, constitutional rights pioneer; Ambassador Raymond Telles, diplomat; Lucy Acosta, civic activist; Maria Elena Flood, health educator; Pete Duarte, hospital administrator; and Hector Holguin, business leader. These individuals are dedicated to the betterment of our community in El Paso and Hispanics across the country.

Mr. Speaker, it is important to remember that Hispanic Heritage Month is celebrated by Hispanics of different descents. Sadly, however, many Hispanics suffer from problems such as high poverty, high illiteracy and educational drop-out rates, above average unemployment rates and low levels of health insurance coverage. It is important to address these problems because Hispanic-Americans are the fastest growing minority group in this country. So as we celebrate Hispanic Heritage Month, let us work toward solutions of these problems and enhance the quality of life for Hispanics and all Americans.

ST. ANDREW'S PRE-SCHOOL'S 20TH ANNIVERSARY

HON. KAREN L. THURMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mrs. THURMAN. Mr. Speaker, I would like to acknowledge the 20th anniversary of the founding of St. Andrew's Pre-School of Spring Hill, FL.

In 1973, 2 years after St. Andrew's Episcopal Church was established in Spring Hill, the first pre-school in the community was founded. Twenty years later, on September 25, 1993, alumni, current students, staff, parents, parishioners, and friends will celebrate this event with a joyous party. It is their hope and prayer to have a grand first-time reunion.

The pre-school meets in Friendship Hall off Founder Road, Monday through Friday each week 9 a.m. to noon. Mrs. Robert (Geri) Anderson is the director being ably assisted by Mary Seaman and Lisa Perrone. Much credit for the founding goes to Roz Bennett, wife of the then vicar of St. Andrew's, the Reverend Ernest L. Bennett. The staff through the years has been the stable and effective vehicle of success.

There have been many young parents who entrusted their children to this Pre-K3 and K4 education style offered by St. Andrew's of Spring Hill. Without the spirit of cooperation and willingness of many people, the success level reached would not have been possible. As they celebrate this 20th anniversary, their aspirations for the future are as bold and imaginative as those held by their founders. They welcome the opportunity to observe this historical moment on Saturday the 25th of September as Hernando County marks its 150th anniversary.

THE CHILD SEXUAL ABUSE PREVENTION ACT

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. BLILEY. Mr. Speaker, the sexual exploitation of children through prostitution and pornography is a problem that increasingly crosses international borders. The worldwide trade in child prostitutes is fueled by money from the United States and other industrialized nations. It is time we pulled the financial plug on the pimps and pornographers who prey on children worldwide.

That is why I am pleased to be an original cosponsor of H.R. 2872, a comprehensive anticrime package that includes the Child Sexual Abuse Prevention Act—a bill to put an end to U.S. involvement in the international trafficking in sexually abused children and to strengthen State and local law enforcement efforts to combat the sexual exploitation of children.

The United States is the world's most lucrative consumer market for child pornography. According to Defense for Children International, child pornography is at least a $2.5 billion a year industry involving millions of children around the globe.

The child pornography market, however, is part of a larger world of international trafficking in child prostitutes. Recently, Time magazine ran a cover story describing the international scope of the sexual exploitation of women and children. It described in detail how prostitution and child pornography have become "a global growth industry debasing the women and children of the world." Their report described the kidnapping, rape, and extortion practiced against young women and children as part of the international prostitution market. In the United States alone, it is estimated that there are between 90,000 and 300,000 prostitutes under the age of 18 years.

Mr. Speaker, the Child Sexual Abuse Prevention Act is simple. The bill extends the reach of current Federal child pornography statutes to include persons outside of the United States who produce or traffic in child pornography ultimately destined for our shores. The bill also amends existing law to prohibit travel in foreign commerce for the purpose of sexually abusing a child.

The Child Sexual Abuse Prevention Act also strengthens State and local enforcement efforts to prevent the sexual exploitation of children. It requires, as a condition of receiving Federal funding, that States enact legislation, in accordance with guidelines established by the Attorney General, to establish or strengthen prohibitions against the production, distribution, and possession of child pornography.

Mr. Speaker, the provisions contained in H.R. 2872 are of vital importance in a wide variety of areas. There are many good reasons to favor the bill. One of those reasons is that it takes a tough approach on the problem of international trafficking in sexually exploited women and children. I urge the House to move quickly on this legislation.

SALUTE TO JUDGE RALPH KELLEY

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. QUILLEN. Mr. Speaker, I rise to express my great admiration and my sincere affection for my former colleague in the Tennessee House of Representatives, the Honorable Ralph H. Kelley, who is soon to retire his position as the Chief U.S. Bankruptcy Judge for the Eastern District of Tennessee after 25 years of meritorious service.

Although only a handful of my colleagues would remember, Ralph began his Government service as a page here in the House from 1941 to 1946. After serving in the Army Air Corps, he attended the University of Tennsessee and Vanderbilt Law School. After engaging in private law practice in his home town of Chattanooga, Ralph was chosen as the assistant attorney general of Hamilton County, TN, and 2 years later was elected to the State house.

At the time, I was the minority leader in the Tennessee House, and I got to know Ralph quite well. I found him to be an honest and dedicated representative of the people who sent him there, as well as a true friend. After only one term in the State house, Ralph was elected mayor of Chattanooga, where he served for 6 years with distinction.

In 1969, Ralph Kelley was selected to be the Chief U.S. Bankruptcy Judge for the Eastern District of Tennessee. Adjudicating bankruptcy claims is a difficult process which requires both compassion and common sense, and he has shown that he possesses these qualities in abundance throughout his outstanding tenure on the bench. In addition, whenever I or other Members of Congress needed information on these proceedings or other judicial issues, Judge Kelley was always there to give the benefit of his expertise.

During his career on the bench, Judge Kelley was also a leader in the professional organizations of his field. He has been active in the Judicial Conference of the United States, the National Conference of Bankruptcy Clerks, the American Bankruptcy Institute, bar associations at every level, and others too numerous to add. He was also honored by his peers by being selected as the president of the National Conference of Bankruptcy Judges in 1985.

My friend's retirement fills me with mixed emotions. I am glad that he will have more time to spend with his wife Barbara Ann and his children, as well as the time to accomplish the things he never got around to while he was dedicating his time to public service. However, the Federal judiciary will sorely miss his expertise. Fortunately, he has agreed to accept senior status on his court, so that his peers will not be deprived of the benefit of his counsel from time to time.

It has been my privilege to know Judge Ralph Kelley for nearly 40 years, and throughout that time, I have valued our friendship dearly. Although the retirement of an honorable public servant leaves us all the poorer, I know that he can look back at his career and see little that he could have done better. I salute his accomplishments, I appreciate what he has done for his country, and I thank him for his friendship.

IN RECOGNITION OF TANYA WITMAN

HON. THOMAS H. ANDREWS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. ANDREWS of Maine. Mr. Speaker, it gives me great pleasure to rise today and report that Tanya Witman of Portland, ME is one of this year's winners in the Voice of America Scriptwriting Competition and Scholarship Program, which is sponsored each year by the Veterans of Foreign Wars.

Tanya's essay is poignant; it reminds all of us that it is our responsibility, our duty, to stand up tall and speak for those in our country who cannot be heard. Tanya reinforces the concept that all American citizens should not only observe the world around them, but that we should take an active part in shaping that world for the better.

I commend Tanya for her ability to convey these tenets of American democracy in both a compassionate and stirring fashion.

I hereby request that Tanya's essay be printed in the CONGRESSIONAL RECORD, so that others may enjoy her writing.

MY VOICE IN AMERICA'S FUTURE

(By Tanya Witman)

My voice in America's future is strong and clear. I can hear it above the discontented murmur of many. Though to some the future holds uncertainty, to me it is bright. I see a new day ahead and my voice speaks out in hopefulness for what lies before me.

My voice will serve to continue the healing process that has already begun. I can encourage those who are uneducated to learn. I can support those who are trying to better their situations. I can console those who feel they have failed. I can tell myself that the time is right to stop speaking and start listening and doing.

The key to the world is fashioned from knowledge. Knowledge breaks down barriers and builds foundations for new ties. The more one knows, the more one can intuit and impart to others. While minds may think differently, words can capture thoughts and harness them for use. My thoughts will form the connection: my words will make the connection: my voice will be the connection.

My voice will not only be used to speak. I will shout when people refuse to listen. I will shout for the homeless man in the street whose words have been ignored, for the sick and the aged if their voices are too weak, and for the children who have not yet learned how to speak.

I will sing to those who have heard too much horror. I will soothe their ears and hearts and minds so that they can listen once again. I will sing to the babies without homes, coax them to sleep so they can wake up to a bright new day.

I will cry out when there is pain from pushing so hard against a seemingly indestructible wall. I will weep for struggle and failure, lament the futility of death. My cries will be heard by those who can do something to end the pain.

I will cheer when there is victory and accomplishment. My voice will resound joyously at the dawn, at a birth, at the realization of love. It will inspire joy in others and lift their hearts along with mine.

But I will not whisper or calm my tone. A stifled emotion is an injustice to the world.

Freedom of speech is a right that is often taken for granted and underrated. Many of those who have the greatest effect on their world have been great orators as well as people of action. Abraham Lincoln, Martin Luther King, Eleanor Roosevelt, Susan B. Anthony: all of these Americans spoke eloquently of their ideas. People listened and agreed. History was made.

I will use my eyes to see what can be done to further help Americans, my people. I will use my ears to listen to ideas on how to help America, my country. I will use my voice to communicate to others how to help America, my home.

My voice is the voice of America. My voice is the voice of change.

FIFTY-SIX ARRESTS FOR FLORIDA BOY: MURDER SUSPECT

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. BEREUTER. Mr. Speaker, the following editorial enunciates very well the tragic story of the 13-year-old Florida boy with a record of 56 arrests who is being held as a suspect in the murder of a British tourist in that State. This Member invites his colleagues' attention, especially members of the Florida delegation, to what would appear to be obvious inadequacies in Florida's criminal law or in the functioning of its judicial system. This Member would emphasize an understanding that all States have their inadequacies, but this tragic incident in Florida certainly points rather obviously to outrageously severe problems or inadequacies in the criminal justice system of Florida that ought to be receiving prompt attention by Florida's State officials.

FIFTY IS TOO MANY SECOND CHANCES

Although some investigators dispute the boy's culpability, one of the suspects in the killing of a British tourist in Florida is a 13-year-old boy who has been arrested 56 times.

That statement, with no further elaboration, could be a nation's epitaph. Society must find a way to quit populating the streets with young, quasi-human killing machines. Otherwise, America's slide toward savagery will continue until virtually no one is safe.

How many other ticking time bombs are out there—not only along the Florida freeways but also in New York and Washington, along Interstate 80 in Illinois, and on the streets of Omaha, Lincoln and the smaller Midlands communities?

No one knows. The battle is being lost. Too many kids are being raised by other kids, or by television sets, without ever learning honor, responsibility, kindness. They grow up on the streets where satisfying one's ego and one's appetites is the reason for living, no matter who has to be hurt.

And when they get into trouble, they enter a world of social engineers who, fixated on "process," excuse these kids and try to pretend that with a little understanding they will become responsible citizens. So even then, there is no opportunity to learn that actions have consequences, that right is right and wrong is wrong.

Yes, a second chance sometimes helps a person rehabilitate himself. But a 10th chance? A 25th chance? The kid in Florida has had more than 50 chances. At what point did his probation officers and counselors plan to pull the plug on his budding criminal career? At 100 arrests? 200?

It shouldn't require a Ph.D to figure out that sooner rather than later, some punks simply have to be put away until they get the message.

Hunters of human prey, such as the killers of the British tourist, don't need community-based programs and revolving door detention centers. Governments need to quit excusing violent, amoral criminals. The courts must have the authority to treat them as the menace that they are. If that requires more prisons, as opposed to group homes, so be it. Certainly it means standing up to the ridiculous notion that the Second Amendment gives kids the right to arm themselves with Saturday night specials and AK-47s.

These aren't "kids" in any traditional sense of the word. They are something different, something few previous generations have had to deal with. So far, society has failed to deal with the problem. And because of its failure, too many people have died.

EXPANDING THE SCOPE OF SERVICES PROVIDED BY VET CENTERS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to introduce a bill which authorizes the VA to provide preventive health care, preadmission testing, and referral services at vet centers. These services would be available to those veterans eligible for readjustment counseling and medical services.

As my colleagues may know, vet centers are often located in urban areas or in locations

a great distance from VA medical centers. These facilities currently provide counseling and readjustment services to veterans of the Vietnam era or those who served in the conflict zones of Lebanon, Grenada, Panama or the Persian Gulf.

Mr. Speaker, it would be a great convenience to veterans to have access to some medical services at the vet center since many veterans, especially in urban areas, do not have their own transportation. Traveling to VA medical centers for simple tests for preadmission screening is burdensome. The availability of these services in vet centers would greatly reduce their aggravation. At the same time, placing medical teams in the vet centers helps move the VA in the direction of preventive and ambulatory care, which we expect the VA to ultimately focus upon.

While the VA already is experimenting with placing medical screening clinics in existing vet centers, it is still a very limited experiment. However, both the VA and veterans have been pleased with the results.

In my home State of New Jersey, the VA has operated a health screening clinic in the Linwood Vet Center for the past 7 years. It seems to me that this concept has indeed proven itself and the time has come to implement the policy on a broader basis.

The Linwood Vet Center presently provides limited medical services in connection with the Wilmington VA Medical Center. The medical team is located in an office next to the vet center and both entities refer veterans to each other for treatment or counseling. The results have been very favorable and I hope it can be applied elsewhere in the Nation.

Mr. Speaker, my bill would provide the VA with the express legal authority to expand the screening clinic concept. It would be a clear expansion of services provided by vet centers and provide what is obviously a needed service. However, this bill takes incremental approach toward the goal of accessible, decentralized health care. Vet centers need time to incorporate this expanded mission while preserving its primary mission of readjustment counseling. Therefore, I have limited eligibility to those veterans who are currently eligible for treatment at vet centers. At a later date we certainly could consider expanding eligibility to all veterans.

Earlier this year, I visited the Trenton Vet Center. I believe that facility would be an ideal location for conducting screening and preadmission testing on veterans rather than traveling to a VAMC. Hopefully, through this legislation, the VA will act and put this concept into action in Trenton and other worthy locations.

Mr. Speaker, I am pleased that Chairman ROY ROWLAND has placed this bill on the hearing agenda for the Hospitals and Health Care Subcommittee. I will be working to move this bill to the floor and urge my colleagues to cosponsor this measure. With continued bipartisan support, we can expand the services available to all veterans.

IN CELEBRATION OF THE CENTENNIAL ANNIVERSARY OF SVOBODA, THE OFFICIAL NEWSPAPER OF THE UKRAINIAN NATIONAL ASSOCIATION

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to Svoboda, the official newspaper of the Ukrainian National Association. Svoboda, which means liberty in Ukrainian, has for the last 100 years provided news about the United States, the Ukraine, and the world to hundreds of thousands of Ukrainian immigrants in their native language. Svoboda has been an empowering force within the Ukrainian-American community, laying cultural, social, and educational foundations.

In its celebrated 100 years of history, Svoboda has served as a vital channel of information between the Ukraine and the rest of the world, particularly regarding the Ukraine's struggle for independence. Svoboda provided essential information to the West about the famine imposed by Soviet dictator Joseph Stalin in the 1930's, the arrests of human rights activists in the 1970's and 1980's, and the culmination of the struggle for independence in 1990 and 1991.

We take this opportunity to commemorate the advent of Ukrainian independence. Svoboda, with its high standards of journalistic excellence and professionalism, now covers a new panorama of topics which are shaping the future of the Ukrainian nation. Although her struggle for independence has been won, the Ukraine continues to grapple with challenging issues that affect its domestic situation and international relations. As the Ukraine struggles to reshape its future, I am confident that the Svoboda will enjoy continued success in the next hundred years.

Mr. Speaker, I know that my colleagues join me in commemorating the centennial anniversary of the Ukrainian National Association's outstanding official newspaper, Svoboda.

THE REPUBLIC OF CHINA'S 82D ANNIVERSARY AND THE UNITED NATIONS

HON. ROBERT F. (BOB) SMITH

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. SMITH of Oregon. Mr. Speaker, congratulations to President Lee Teng-hui and Foreign Minister Fredrick Chien of the Republic of China on Taiwan as they celebrate the Tenth of October, the 82d anniversary of the founding of their nation. I wish Taiwan the best of luck in all its future endeavors and especially in its bid to re-enter the United Nations. Taiwan richly deserves U.N. membership.

Throughout its history, the Republic of China on Taiwan has been playing an active international role, despite its lack of U.N. membership. In the early 1970's, the Republic of China was active in the International Monetary Fund [IMF], the World Bank, the Asian Development Bank, and the International Council of Scientific Unions. Also, the ROC has stepped up its technical aid to needy countries, a program which the ROC started in the 1950's. At the moment, the ROC has more than 43 teams of technical experts working in 31 countries. In addition, to increase its overseas aid programs, the ROC has established a $1.2 billion International Economic Cooperation and Development Fund to help developing countries promote economic and industrial growth. Already, more than $250 million has been given to Panama, Cost Rica, and the Philippines and additional funds will be made available for projects in the Pacific, Latin America, Eastern Europe, and Africa. By 1995, the ROC expects to spend $400 million a year on foreign aid, roughly a quarter of 1 percent of its GNP.

There is no question that the ROC is committed to playing an even larger international role, it allowed to participate in the U.N. I believe that now is the time for all nations to look at the Republic of China's contributions of international aid and I believe that the Republic of China on Taiwan deserves to be invited back to the United Nations.

THE IMMIGRATION AND NATURALIZATION SERVICE [INS] REFORM ACT

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Ms. MOLINARI. Mr. Speaker, today I am introducing the Immigration and Naturalization Service [INS] Reform Act of 1993. The experts, special commissions, and many of the men and women of the INS agree, we need to reform the INS and make our immigration laws work.

According to the General Accounting Office:

> Strong leadership and management reforms are needed to address serious problems.

This report goes on further to say:

> * * * the agency has degenerated into a group of segmented autonomous programs, each trying to handle its own set of problems with little attention given to their interrelatedness. Without coherent overall direction and basic management reforms, the organization has been unable to effectively address changing enforcement responsibilities and longstanding service delivery problems.

Based on a very successful INS pilot program there is a proven solution. The 1988 Anti-Drug Abuse Act required that a pilot project, which is still in existence today, conduct and test a better enforcement structure. A comprehensive review of that project was undertaken and the U.S. Department of Justice issued its findings in August 1992. It concluded that the pilot project worked and it is time to see that the lessons learned from this program are implemented.

The legislation I am introducing today will implement the recommendations of the successful pilot programs established by Congress. The changes recommended are organizational in nature and streamline the agency

to better meet the enforcement demands of the INS.

My bill will separate law enforcement officials from other agency personnel and functions. It allows them to pursue their charge of apprehending illegal aliens and stopping illegal activities. It establishes in each region a chief of enforcement operations who reports directly to Washington and oversees a chief patrol agent, a special agent in charge of investigations, and a deportation officer in charge. This ensures the INS will maintain consistent service and enforcement postures throughout the United States by actually carrying out the implementation of the Nation's immigration policy.

Mr. Speaker, these changes are consistent with the same enforcement management structures now being used by all other national law enforcement agencies. I ask that my colleagues take a close look at my legislation and lend their support. This bill has the support of many of the experts, it will make a difference and it is reform that has been tested and proven to work.

MOROCCO WALKS A TIGHTROPE ON DIPLOMATIC TIES TO ISRAEL

HON. HARRY JOHNSTON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. JOHNSTON of Florida. Mr. Speaker, I had the privilege of meeting with King Hassan II of Morocco in June to discuss the Middle East peace process. At that time 3 months ago, I was encouraged by the King's commitment to playing a positive role in bringing peace to the region. Today I rise to recognize the significant contribution he and his nation have made toward the historic breakthrough we witnessed in Washington last week.

King Hassan II has long played a unique role in the Middle East, mediating among the Israelis and Arabs as well as among fellow Arab states. He played a key role in arranging the historic visit of Egyptian President Anwar Sadat to Israel in 1977.

The visit of Yitzhak Rabin of Israel to Morocco on the day after the signing of the declaration of principles with the PLO was the first official visit by an Israeli Prime Minister to an Arab nation other than Egypt. Prime Minister Rabin said, "I have come * * * to thank His Majesty for all that he has undertaken and for his personal initiative to facilitate peace in the Middle East."

Mr. Speaker, Morocco deserves our thanks as well for its role in helping to bring about what we all hope will be a new era of peace and prosperity for the Middle East. I would like to include in the RECORD with my statement two articles from the New York Times describing the historic visit of Prime Minister Rabin to Morocco and the history of Morocco's peacemaking role in the Middle East.

MOROCCO WALKS A TIGHTROPE ON DIPLOMATIC TIES TO ISRAEL

(By Roger Cohen)

RABAT, MOROCCO.—Having accorded de facto recognition to Israel by welcoming Prime Minister Yitzhak Rabin to his summer palace, King Hassan II of Morocco now faces a delicate problem: Should the two countries merely live together or has the time come to exchange rings?

The King's choice on whether to establish diplomatic relations with Israel is crucially important because it will be a guide to the degree of political support Arab states are prepared to give Mr. Rabin in the bid for peace with the Palestine Liberation Organization. But Westerners here believe the decision for the King will be particularly difficult, and therefore long pondered, because it involves a clash of personal instinct an pragmatic considerations.

On the one hand, King Hassan, through his extraordinary gesture on Tuesday and quiet diplomacy before that, has already demonstrated that he believes Morocco has a special role to play in establishing bridges between Israel and the Arab world.

TIES TO MOROCCAN JEWS

Surrounded by several prominent Jewish advisers, acutely aware of the economic potential of a formal opening to a state where close to 500,000 Jews of Moroccan descent live, proud of his dynasty's history of protection of the Jews, and eager to cap his past peacemaking efforts through a pioneering role in the reinforcement of this week's peace accords, the King is widely believed to be personally enthusiastic about diplomatic recognition of Israel.

Moreover, he has shown that he is prepared, on occasion, to go out on a limb, earning the pique and even outright denunciation of other Arab leaders. One interpretation here of his invitation to Mr. Rabin is that King Hassan was trying to upstage King Hussein of Jordan, for whom he is known to bear little affection. Jordan's peace plans with Israel were announced in Washington on the same day as Mr. Rabin's visit.

"The King likes a grand gesture and would probably be happy to gain the kudos of being the first Arab state after Egypt to establish diplomatic ties with Israel," said one Westerner. "It's hard to imagine any other Arab country leading the way."

BOLDNESS HAS ITS LIMITS

On the other hand, King Hassan, a man who has survived two assassination attempts in the 1970's and is known as an astute politician, is very much aware that, as one Western diplomat put it, "too many dramatic gestures can be dangerous."

By all accounts, the invitation to Mr. Rabin was prepared in the utmost secrecy. The French Ambassador here dined with the Moroccan Foreign Minister, Abdellatif Filali, the night before Mr. Filali abruptly left for Washington to attend the signing of the peace accords. But the minister gave no hint of his plans. American diplomats here were simply in the dark, alerted only at the last minute of Mr. Rabin's impending arrival.

Thus, King Hassan, having acted on a discreet personal initiative, clearly has a lot of explaining to do with other Arab leaders. It appears certain that he will want to consult at length with them—particularly with other moderate leaders in the gulf area—before making his decision on diplomatic ties with Israel.

"This process of consultation will take some time, and is one reason I'm convinced that formal recognition of Israel is still some months off," said one Western European diplomat.

DOMESTIC POLITICAL FACTORS

King Hassan also has to move with some circumspection with respect to his own country. Although his hold on power is extremely secure, bolstered by a stranglehold on information reflected in the fact that every Moroccan newspaper today trumpeted the monarch's role as "a pioneer of the Washington peace," the King is acutely sensitive to the strong Islamic militant movement in neighboring Algeria. He does not want to give any unnecessary fuel to the small currents of such sentiment in Morocco.

Arab nationalists have also been gaining some ground, and a rapid establishment of diplomatic ties with Israel, before the future of the Israeli-Palestinian accords is clear, could boost their standing.

All this suggested that some time may pass before the King grants the diplomatic recognition that his invitation so clearly seemed to presage. The Israeli Foreign Minister, Shimon Peres, appeared to show an appreciation of the difficulties on Tuesday when he said that, "There must be a certain gradual approach in this development."

This public Israeli patience may in part have been motivated by Israeli awareness that if it wants King Hassan to act as an intermediary in getting conservative Arab states politically and financially behind the Palestinian accord, then Israel cannot also ask him to ruin his relations with these countries through a capricious act of diplomatic recognition.

RABIN MEETS HASSAN, REPORTING STEP TOWARD TIES

(By Roger Cohen)

CASABLANCA, MOROCCO.—Pushing quickly to build Israel's peace agreement with the P.L.O. into a new relationship with Arab countries, Prime Minister Yitzhak Rabin held talks today with King Hassan II of Morocco and described them as "a step toward diplomatic relations."

"The surprise visit to Morocco, a one-day layover on Mr. Rabin's return to Jerusalem from Washington, underscored the Israeli Government's determination to obtain the support of moderate Arab nations for the plan for Palestinian self-rule in the Gaza Strip and the West Bank town of Jericho. It also signaled Israel's conviction that the way should now be open for the rapid establishment of diplomatic ties between Israel and Arab countries.

Mr. Rabin's meeting in Morocco—the first official visit by an Israeli Prime Minister to an Arab nation other than Egypt—also demonstrated the change that has suddenly come over Middle East politics.

The last time Mr. Rabin came here, in 1976, for secret talks with King Hassan, he was disguised in a shaggy wig, moustache and fake glasses. Today, in what amounted to a diplomatic coup revealing the potential benefits of reaching for peace with the P.L.O., he was received with pomp at the King's summer palace at Skhirat, near Rabat, and heard greetings in Herbrew from the King of the Jewish New Year, which begins at sundown Wednesday.

"PROMISING THINGS"

"I have heard very warm and promising things about the future." Mr. Rabin said after his meeting with the King. Earlier, on his arrival in the Moroccan capital, the Israeli Prime Minister said "We hope and believe that it is possible to expand the network of Israel's relations with Arab countries and the Arab world."

Morocco was a natural starting point for Mr. Rabin in his drive to get moderate Arab countries politically and financially committed to the Palestinian accord.

King Hassan has long played a discreet role in Middle East negotiations, helping arrange Anwar el-Sadat's historic visit to Jerusalem in 1977 and meeting secretly with both Mr. Rabin and Foreign Minister Shimon Peres of Israel when other Arab nations would have nothing to do with them.

Gaining the support of moderate Arab countries for the peace accord is regarded by diplomatic officials as essential for Mr. Rabin in order to bolster support at home, where opinion is divided on the agreement with the P.L.O. and a parliamentary debate on the issue is scheduled next week. Moreover, the oil-producing Persian Gulf nations could give crucial financial support for Palestinian self-rule in Gaza and Jericho.

However, rumors that diplomatic relations between Morocco and Israel would be announced today proved untrue. "There is a beginning of openness," Mr. Rabin said. "But these things cannot all happen at once. We have made a step toward diplomatic relations."

King Hassan said in a brief statement that the agreement between Israel and the P.L.O. was "a step toward a better future."

Western diplomats suggested that the King could not be too effusive because the accords signed Monday in Washington did not address the status of Jerusalem. As the head of the Jerusalem Committee of the Organization of the Islamic Conference, a group of 45 Arab countries and the P.L.O., the Moroccan King has a special responsibility in pressing Arab claims to the eastern half of the city that Israel seized from Jordan in the 1967 Middle East war.

At his news conference, Mr. Rabin said his discussions with the King had focused on means to reinforce and support the Palestinian agreement. "We discussed in detail what will be needed to implement the agreement, what the obstacles are, what the security problems are among Palestinians and between Israelis and Palestinians," he said.

The Israeli Prime Minister portrayed the situation in Gaza as dramatic, and said the 750,000 Palestinians living there needed money to develop schools, roads and other essential installations.

"Without money to assist the Palestinians, the whole accord could suffer," he said. "Why could the oil-producing Arab countries of the Arabian Peninsula not contribute? What is providing $300 million to them?"

There were about 275,000 Jews in Morocco when the country gained independence in 1956, but most have emigrated to Israel, France and elsewhere. An estimated 8,000 Jews remain in Morocco, where they have generally been treated with tolerance.

Today, in a show of appreciation for Morocco's historically tolerant treatment of Jews, Mr. Rabin laid a wreath on the grave of King Hassan's father, Mohammed V, who protected the country's Jews during the Nazi invasion of North Africa.

NAFTA WILL MEAN JOBS FOR ILLINOIS

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. MICHEL. Mr. Speaker, my hometown of Peoria is seen by many people as a typical U.S. city. "Will it play in Peoria?" is a question that pundits and others—including myself—often ask themselves.

Caterpillar is Peoria's home grown industry. The reputation that Cat enjoys across the world reflects well not only on Peoria but on America as well. Instead of shying away from competitiveness or hiding behind protectionist rhetoric, Cat welcomes the challenge of breaking into new markets. NAFTA will increase revenues, create jobs, and enhance exports for Caterpillar. For those reasons, NAFTA plays well in Peoria.

I submit for the RECORD an article that appeared in the New York Times today, entitled "Caterpillar Sees Free-Trade Boon." I encourage all of my colleagues to read this article and see how NAFTA will help the bottom line of a real American company.

CATERPILLAR SEES FREE-TRADE BOON

(By Barnaby J. Feder)

PEORIA, Ill.—As the showdown nears in Washington over the fate of the North American Free Trade Agreement, it is no surprise that Caterpillar Inc. has been one of the strongest corporate voices in favor of the treaty.

From its base in this small city in central Illinois, Caterpillar has grown into the largest construction equipment maker in the world. It derives more than half its sales from exports. And it has a reputation as a company that has never seen a free trade proposal it didn't like.

The executives of Caterpillar sound like much of corporate America when they confidently echo the Government's claims about how beneficial NAFTA could be for the American economy. But they are even more enthusiastic when talking about how Caterpillar stands to benefit.

In all, Caterpillar estimates that NAFTA could help it sell an additional 350 pieces of equipment like bulldozers, tractors, and backhoes in Mexico each year. That would add $45 million a year to its Mexican revenues, on top of the $200 million that it already books. (Caterpillar reported $10.2 billion in total revenues last year).

That sales increase would be accomplished in two ways. First, Caterpillar is counting on NAFTA to stimulate the Mexican economy, which in turn should lift the demand for all construction equipment, expanding one of Caterpillar's fastest-growing markets even more. "Mexico needs infrastructure and that plays to our strength," said Timothy L. Elder, the director of government affairs for Caterpillar.

In addition, rolling back the Mexican tariffs on American goods should allow Caterpillar to expand its market share in Mexico at the expense of Komatsu Ltd., and other Asian and European importers who will still be subject to Mexican tariffs.

Caterpillar said its exports to Mexico translates into jobs for 1,300 of its employees and 2,700 jobs for suppliers. But the company's executives conceded that actual employment levels reflected a wide range of operating concerns and could not be pinpointed with any specificity to the level or mix of sales to Mexico.

Over the long term, Caterpillar hopes Nafta will serve as a harbinger of lower trade barriers throughout Latin America. But the shorter term advantages alone are enough to convince the company that its interests are best served by the trade pact.

As things stand now, Caterpillar tractors and bulldozers built across the Illinois River from here in East Peoria face a 10 percent tariff going into Mexico. The company's marine engines, manufactured a few miles up the river in Mossville, Ill., must overcome a 15 percent tariff barrier, and its excavators, built outside Chicago in Aurora, Ill., face a 20 percent tariff. Nafta would eliminate all those barriers immediately and phase out similar duties on other Caterpillar products in five to 10 years.

MORE FLEXIBILITY

Without those tariffs artificially inflating prices, Caterpillar had said it would have the flexibility to either roll back prices to build market share or keep prices where they were and enjoy fatter profit margins. Caterpillar executives said the decisions about whether to use its Nafta-based cost advantage to expand the margins or to cut prices would be made on a product-by-product basis.

Either way, Donald Fites, the chairman and chief executive of Caterpillar, said he believed some Mexican customers were hoping the big equipment maker chose the former route. They have held back orders on the hope that Nafta would pass, allowing Caterpillar to give them a price break.

Even without Nafta, sales of Caterpillar products to Mexico have surged since the Salinas Government began reducing tariffs and easing spending restrictions that had been imposed in the early 1980's to reduce the debt burden in Mexico. Caterpillar sold just 11 machines to Mexico in 1983. Last year the total had jumped to 1,200.

LOSS OF CONFIDENCE

But if Nafta is defeated, the prospects for Caterpillar in Mexico are much less certain. "If Nafta fails to pass, I would expect the growth to slow if not go the other way," said Mr. Elder, explaining that the setback might cause some to lose confidence in the Mexican economy.

Something Nafta will not do, Caterpillar executives said, is send American jobs to Mexico. To be sure, the treaty would also eliminate American tariffs ranging from 2.5 percent to 4 percent on construction equipment made in Mexico, making manufacturing south of the border for export to the United States slightly cheaper than it is now. But Caterpillar argues that the elimination of the far higher tariffs on exports to Mexico tilts the playing field further toward manufacturing its equipment in the United States.

"If we had an incentive to move there, it would have been exercised already," Mr. Elder said.

STRAINED UNION RELATIONS

In fact, Caterpillar set up a manufacturing plant near Monterrey, Mexico, in the early 1980's when Mexican import restrictions cut off most exports from Illinois. Employment there has actually declined to 1,200 workers from 1,700 as Mexico relaxed the restrictions. But a good portion of the decline was related to the transfer last year of the company's forklift operations to a venture with Mitsubishi rather than the greater efficiency of American production, Mr. Elder said.

No amount of reassurance or lobbying is likely to generate support for the treaty among Caterpillar's unionized work force, which is represented by the United Automobile Workers. The U.A.W., like other unions, said it believed the treaty would accelerate the flow of jobs from the United States to Mexico and be used by management as another hammer in bargaining over wages and benefits in this country. Caterpillar's relations with the union have been particularly strained since the two sides failed to settle on a new contract last year and Caterpillar forced workers to call off a strike and return to work on its terms.

HALF-HEARTED EFFORT

"This is as much of a threat to a Caterpillar worker as any other," said James B.

O'Conner, a U.A.W. official at Caterpillar. "It's just not going to happen here over night."

Caterpillar has distributed some materials attempting to win support among the workers for Nafta, but the effort has ben halfhearted. Company officials said the workers who supported its position were scared into silence by the union's outspoken opposition. Caterpillar has compaigned to drum up support among other employees, suppliers and customers, and the 252-member Nafta Illinois coalition.

A telling indication of the size of the gulf with the production workers came when Mr. Elders was asked whether the side provisions on environmental and other issues in the pact might contain language that could offset many of the financial benefits Caterpillar saw in Nafta.

"We haven't had a good chance to analyze the side agreements yet but the reassuring thing is that organized labor says they are horrible," Mr. Elder said.

"SYMMETRICAL EXAGGERATIONS"

In truth, there is no simple way to separate the potential gains and losses that might stem from Nafta from larger issues like the huge gap in wage rates that already exists between the United States and Mexico. That gap has already induced American companies to move hundreds of thousands of jobs south of the border and will continue to attract them whether or not Nafta passes.

"There are symmetrical exaggerations from both sides," said Thea Lee, an economist with the Economic Policy Institute, a research center in Washington that has been generally critical of Nafta. "The Administration talks only about the new jobs related to exports without taking into account those displaced by imports. But Ross Perot talks only about the latter."

CENTENNIAL CELEBRATION OF THE SVOBODA

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Mr. KLECZKA. Mr. Speaker, September 15, 1993, marked the centennial celebration of the Svoboda, the official newspaper of the Ukrainian National Association.

I would like to take this opportunity to commemorate this milestone event, and to recognize the significance this publication has had for all Ukrainians, both here and abroad. A paper of the people, Svoboda has proven its dedication to the preservation of Ukrainian heritage, while working to promote the democratic ideals this Nation was founded upon.

The oldest Ukrainian newspaper, and one of the oldest ethnic newspapers in the United States, Svoboda has preserved in the long struggle for advancement of the Ukrainian-American community. Founded with the goals of defending national interests, encouraging the people to community activity and socially useful work, and raising national consciousness, the newspaper has evolved as a critical link between promoting Ukrainian heritage and encouraging American and Ukrainian patriotism.

Published in both the Ukrainian and English languages, Svoboda has been instrumental in educating and aiding hundreds of thousands around the world for the past 100 years. The paper has also been vital in the creation of numerous social-political organizations, most notably the Ukrainian National Organization. These organizations have been essential in fostering educational, cultural, and social development within the Ukrainian-American community.

Equally important to the great inspiration and leadership the paper has shown to the ethnic community, the Svoboda has been a significant source of information for those of us in the West about the Ukraine. It was through this vital newspaper that Western officials and peoples learned of the history of Ukraine's long struggle for independence, from the families of the Stalinist regime to the modern day struggles of the early nineties.

The Svoboda has proved that it is truly a peoples' newspaper. In an age when television media has begun to dominate the printed word, I feel it is essential to recognize and honor an effective newspaper such as Svoboda, for its dedication to the education and improvement of the people both in the United States and abroad.

Today, Svoboda defends the newly independent Ukraine and continues to support efforts for the liberation of Ukrainians around the world, from Brazil to Bosnia. Along with fulfilling its obligation to the Ukrainian community, Svoboda continues to achieve its initial goals of raising social consciousness and encouraging political activism throughout the world.

Mr. Speaker, in closing, I would like to commend the Ukrainian-American community, particularly members of the Ukrainian National Association for their commitment to the enlightenment of their community. I would now like to ask my colleagues to join me in commemorating this celebration.

ABORTION CLINIC ARSON

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 21, 1993

Ms. WOOLSEY. Mr. Speaker, I rise today in outrage and frustration to decry yesterday's abortion clinic arson in my home State of California. Early reports indicate that this is the latest in a long series of violent acts aimed at women's health care clinics, their employees, and the women who use them. The Family Planning Associates building in Bakersfield burned down early Monday morning, and the fire spread to two other adjacent buildings and caused damage to about a dozen other businesses on the same block as the clinic. In total, the fire caused 1.4 million dollars' worth of damage. It was torched by an arsonist whom experts are connecting to the anti-choice movement.

I am sad, I am angry, but I am not surprised. Since 1977, there have been well over 1,000 violent acts at family planning clinics, including bombing, arson, assault, battery, and murder. The self-avowed right-to-life movement has taken a frightening, unforgivable turn past sanity. It is not led by peaceful, nonviolent protesters. It is now led by self-appointed guardians of public morality—vindictive vigilantes who will stop at nothing, even murders, to impose their will on American women.

Mr. Speaker, when will the violence against women end? When will law enforcement vigorously pursue crimes motivated by the anti-choice movement's extremist agenda?

Now is the time, Mr. Speaker, to enact the freedom of access to clinic entrances bill. This legislation will go a long way in sending a crystal clear message to abortion protesters that violence will no longer be tolerated. It makes it a felony to prevent an individual from entering a medical facility and provides a cause of action for those who have been damaged by the actions of violent clinic protesters.

This administration intends to be tough on crime, and this bill has been called for by none other than Attorney General Janet Reno who views this bill as an essential and effective tool in both preventing an prosecuting these heinous crimes.

Every day that goes by without this law is a signal to the violent protesters that their actions are deemed as acceptable by the U.S. Government. Let us bring the freedom of access to clinic entrances bill to the floor immediately and begin to put an end to the violence against women and health care clinics.